

K-40768

OREGON

## AFFIDAVIT OF MAILING NOTICE OF SALE

I, Judy Blomquist, say and certify that:  
I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or the successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail and first class mail to each of the following named persons at their last known addresses, to-wit:

|                        |  |
|------------------------|--|
| William J. T. Williams | 3863 Clinton Ave.<br>Klamath Falls, Oregon 97603                 |
| Doris L. Williams      | 3863 Clinton Ave.<br>Klamath Falls, Oregon 97603                 |
| Occupant               | 3863 Clinton Ave.<br>Klamath Falls, Oregon 97603                 |
| Mr. Michael Grassmuck  | Trustee In Bankruptcy<br>P. O. Box 1783<br>Medford, Oregon 97501 |
| Cameron F. Wogan       | Attorney<br>439 Pine<br>Klamath Falls, Oregon 97601              |
| U. S. Trustee's Ofc    | 851 S. W. Sixth Ave.<br>13th Floor<br>Portland, Oregon 97204     |
| Southern Oregon Credit | P. O. Box 4708<br>Medford, Oregon 97501                          |

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Kreisman, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Portland, Oregon, on April 29, 1989. Each notice was mailed after the date that the Notice

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of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

As used herein, the singular incudes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Judy Blomquist  
Judy Blomquist

State of Oregon )  
County of Multnomah )

On this 29 day of April, in the year 1989., before me the undersigned, a Notary Public in and for said County and state, personally appeared Judy Blomquist personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal  
Peggy Young  
Notary Public

My Commission Expires 4/10/93

After Recording Return to:  
Shapiro & Kreisman  
4380 S.W. Macadam Avenue  
Suite 310  
Portland, Oregon 97201  
(503) 227-4566

S&M #: 88-10128  
Lender Loan #: 254140-7

AMENDED TRUSTEE'S NOTICE OF SALE (After Release From Stay)

Reference is made to that certain trust deed made by WILLIAM J. T. AND DORIS L. WILLIAMS, HUSBAND AND WIFE, as grantor to ASPEN TITLE AND ESCROW COMPANY, as trustee, in favor of TOWN & COUNTRY MORTGAGE, INC., AN OREGON CORPORATION, as beneficiary, dated MARCH 30, 1984, recorded APRIL 12, 1984, in the mortgage records of KLAMATH County, Oregon in Book No. M-84 at Page 6081, covering the described real property in said county and state, to-wit:

LOT 24, LANDIS PARK, IN THE COUNTY OF KLAMATH, STATE OF OREGON

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments in the sum of \$439.57 from August 1, 1987 through January 1, 1988, and monthly payments in the sum of \$491.89 from February 1, 1988, together with all costs, disbursements and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

\$35,892.26, together with interest thereon at the rate of 12.5% per annum from August 1, 1987, until paid, together with all costs, disbursements and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

The notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on January 20, 1989, at 11:00 AM, in accord with the standard of time established by ORS 187.110, at in the City of Klamath Falls, County of KLAMATH, State of Oregon; however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on March 30, 1989.

WHEREFORE, notice hereby is given that the undersigned trustee will on July 7, 1989 at 10:00 AM, in accord with the standard of time established by ORS 187.110 at in the City of Klamath Falls, County of KLAMATH, State of Oregon, (which is the new date, time and place set for sale) sell at public auction to

the highest bidder foreclose the interest in the said described real property which the grantor has or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then to be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amount provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

KELLY D. SUTHERLAND, Successor Trustee

By *Kelly D. Sutherland*

Dated 4/29/89

I, the undersigned, certify that I am an attorney and that the foregoing is a complete and exact copy of the original trustee's notice of sale as amended.

\_\_\_\_\_  
Attorney

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 30th day  
of June A.D., 19 89 at 3:39 o'clock P.M., and duly recorded in Vol. M89  
of Mortgages on Page 11890

Evelyn Biehn County Clerk

FEE \$23.00

By *Pauline Muelenders*