

2948

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON }
County of Klamath } ss.

I, RICHARD FAIRCLO, being duly sworn, depose and say and certify that:

At all times hereinafter mentioned 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 his successor in interested named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons at their respective last known addresses, to-wit:

David L. and Jeri L. Beal
725 Martin Street
Klamath Falls, OR 97601

Dept. of Justice
Support Enforcement Div.
32 West Sixth Street
Medford, Oregon 97501-2781

Department of Human Resources
318 Public Service Building
Salem, Oregon 97310

Michael D. Bradbury
District Attorney
Child Support Division
4651 Telephone Road, Suite 101
Ventura, CA 93003

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary as actual notice (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be true copy of the original notice of sale by RICHARD FAIRCLO, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on July 24, 1989. With respect to each person listed above, one such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to

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PROCTOR & FAIRCLO
ATTORNEYS AT LAW
280 MAIN STREET
KLAMATH FALLS, OREGON 97601

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accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

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

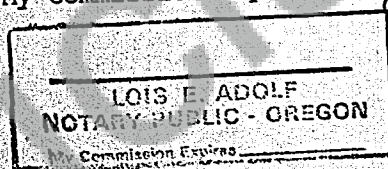
[Signature]

SUBSCRIBED AND SWORN to before me this 24 day of July, 1989.

[Signature]

Notary Public for Oregon

My Commission expires: 8/3/90



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Rel.
PROCTOR & FAIRCLO
ATTORNEYS AT LAW
280 MAIN STREET
KLAMATH FALLS, OREGON 97601

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OK

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by DAVID L. BEAL and JERI L. BEAL,
 husband and wife, as grantor, to
MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, as trustee.
 in favor of LESLIE NORTHCUTT and NORMA V. NORTHCUTT, husband and wife, as beneficiary.
 dated November 9, 1987, recorded November 10, 1987, in the mortgage records of
Klamath County, Oregon, in ~~BOOK 354~~ / volume No. M87, at page 20442.
~~See file/instrument/microfilm/reception No.~~ (indicate which), covering the following described real
 property situated in said county and state, to-wit:

The Northerly 40 feet of Lots 486 and 487, Block 114, MILLS ADDITION
 to the City of Klamath Falls, according to the official plat thereof
 on file in the office of the County Clerk of Klamath County, 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 de-
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments of \$300.11 from March 9, 1989, and each month
 thereafter, plus real estate taxes in the amount of \$1,260.56.

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:


\$31,728.00 plus interest accrued in the amount of \$2,323.22 plus
 interest accruing at the rate of \$9.34 per day from July 10, 1989;
 plus real estate taxes in the amount of \$1,260.56.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 15, 1989,
 at the hour of 10:00 o'clock, A. M., in accord with the standard of time established by ORS 187.110, at
Klamath County Courthouse front steps, 316 Main Street,
 in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public

auction to the highest bidder for cash the interest in the said described real property which the grantor had 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 be due had no default
 occurred) and by curing any other default complained of herein that is capable of being cured by tendering the per-
 formance required under the obligation or trust deed, and in addition to paying said sums or tendering the perform-
 ance 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 amounts 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 obli-
 gation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their
 respective successors in interest, if any.

DATED July 20, 1989


 Richard Fairclo
 Trustee

State of Oregon, County of Klamath ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that
 the foregoing is a complete and exact copy of the original trustee's notice of sale.

 Attorney for said Trustee

SERVE:

If the foregoing is a copy to be served pursuant to
 ORS 86.740 or ORS 86.750(1), fill in opposite
 the name and address of party to be served.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 24th day
 of July, A.D. 1989 at 3:25 o'clock P.M., and duly recorded in Vol. M89
 of Mortgages on Page 13481

Evelyn Biehn, County Clerk

FEE \$18.00

By 