

ON

9570

ASPEN 33755 Vol. M89 Page 25098

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

STATE OF OREGON, County of Multnomah, ss:

I, James D. Thompson

, being first 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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 (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME	General Delivery	ADDRESS
John E. Conner	General Delivery	Bonanza, Oregon 97623
John E. Conner	Rt. 1, Box 42B	Bonanza, Oregon 97623
Rebecca L. Conner	P.O. Box 102	Bonanza, Oregon 97623

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 has 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 a true copy of the original notice of sale by.....  
James C. Casterline

....., 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 Portland, Oregon, on September 12, 19 89. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to 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.

Subscribed and sworn to before me this 12th day of September, 19 89.

(SEAL)

Arlene P. Sedwick  
Notary Public for Oregon. My commission expires 11/16/91

\* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.

**PUBLISHER'S NOTE:** An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

**AFFIDAVIT OF MAILING TRUSTEE'S  
NOTICE OF SALE**

RE: Trust Deed from

Conner

Grantor

TO

Farmers Home Administration

Trustee

AFTER RECORDING RETURN TO  
**Transamerica Title Insurance Company**  
12360 E. Burnside  
Portland, Oregon 97216  
Attn: James D. Thompson

(DON'T USE THIS  
SPACE; RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

STATE OF OREGON,

County of ..... ss.

I certify that the within instrument was received for record on the ..... day of ..... 19....., at ..... o'clock ..... M., and recorded in book/reel/volume No. .... on page ..... of as fee/file/instrument/microfilm/reception No. ...., Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By ..... Deputy

89 DEC 23 PM 3 51

25099

**INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT AND PROOF OF SERVICE**

RECEIVED  
SEP 13 1 55 PM '89

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON

County of Multnomah } ss.

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3), upon the occupant of the property described in said Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in said trust deed, are as follows:

NAME OF PERSON TO BE SERVED (If unknown, so state)	PROPERTY ADDRESS
Rebecca L. Conner	Rt. 1, Box 17 Bonanza, Oregon 97623 (SEE MAP ATTACHED)
Any and All Occupants at:	Rt. 1, Box 17 Bonanza, Oregon 97623

If the occupant is indicated as "unknown", or if you find the property at said address to be occupied by other than the person named, then you are instructed to serve the person or persons whom you find to be occupying said property.

Service should be made by September 21, 1989, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in making service until it has been accomplished.

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

NOTARY PUBLIC  
Subscribed and sworn to before me this 11th day of September, 1989.  
(SEAL)

James D. Thompson  
Successor (Attorney for) Trustee  
Robert D. Sedlasek  
Notary Public for Oregon. My commission expires: 11/16/91

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

**TRUSTEE'S INSTRUCTIONS AND PROOF OF SERVICE UPON OCCUPANT OF TRUSTEE'S NOTICE OF SALE**  
(120-Day Notice per ORS 86.750(1))

RE: Trust Deed from Conner

TO Grantor

Farmers Home Administration

Trustee

AFTER RECORDING RETURN TO  
Transamerica Title Insurance Co.  
12360 E. Burnside  
Portland, Oregon 97216  
Attn: James D. Thompson

STATE OF OREGON, } ss.  
County of \_\_\_\_\_

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
By \_\_\_\_\_ Deputy

## SHERIFF'S RETURN OF SERVICE

25100

STATE OF OREGON )

) ss.

County of Klamath )

Court Case No. \_\_\_\_\_

Sheriff's Case No. 89-3017I hereby certify that I received on September 13, 1989 the within:

- ( ) Summons & Complaint ( ) Summons & Petition ( ) Summons ( ) Complaint ( ) Petition  
( ) Subpoena ( ) Citation ( ) Order ( ) Motion ( ) Affidavit  
( ) Small Claim ( ) Restraining Order ( ) Order for Appearance of Judgement Debtor  
( ) Writ of Garnishment ( ) Order to Show Cause ( ) Order Waiving Fees and Costs

(X) TRUSTEE'S NOTICE OF SALEfor service on the within named: Rebecca L. Conner(X) SERVED Rebecca L. Conner personally and in person.  
at Market St., Bonanza, OR( ) SUBSTITUTE SERVICE - By leaving a true copy with \_\_\_\_\_,  
a person over the age of fourteen years, who resides at the place of abode of the within named, at said  
abode: \_\_\_\_\_( ) OFFICE SERVICE - By leaving a true copy with \_\_\_\_\_,  
the person in charge of the office maintained for the conduct of business by \_\_\_\_\_

( ) By leaving a true copy with \_\_\_\_\_ of said corporation.

( ) OTHER METHOD \_\_\_\_\_

( ) NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find  
the within named: \_\_\_\_\_ within Klamath County.

All search and service was made within Klamath County, State of Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: September 22, 1989 9:00 p.m.Carl R. Burkhart, Sheriff  
Klamath County, Oregon

By

B. W. Mook

Deputy

ON

25101

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by John E. Conner and Rebecca L. Conner  
Farmers Home Administration, U.S.D.A., as grantor, to  
United States of America, as trustee,  
 dated January 7, 1981, recorded January 7, 1981, in the mortgage records of  
Klamath County, Oregon, in 555k/7e1/volume No. M81 at page 246, or  
 as fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

(SEE EXHIBIT "A")

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:

11 payments in the amount of \$171.00 each.  
 Real property taxes for the years 1986 through 1989.

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:

Principal : \$46,340.93 All fees, costs and expenses incurred in this  
 Interest as of 8/22/89: 395.02 foreclosure. Recapture of subsidized interest,  
 Daily Accrual : 1,2696 if any. All sums advanced, if any, to protect  
 the property or the beneficiary's interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 19, 1990,  
 at the hour of 10:05 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at  
Main entrance of the Klamath County Courthouse

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 grantor of the said trust deed, together with any interest which the  
 grantor or grantor's 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 performance required under the obligation or trust deed, and in addition to paying said sums or tendering the per-  
 formance 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 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.

Transamerica Title Insurance Company

DATED September 1, 1989

James D. Thompson  
 James D. Thompson-Assistant Secretary  
 Successor Trustee

State of Oregon, County of Millamnah 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.

James C. CasterlineJames C. Casterline  
Attorney for said Trustee

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.

SERVE: \_\_\_\_\_

## EXHIBIT "A"

25102

A parcel of land in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10, Township 39 South, Range 11, E.W.M. described as follows:

Beginning at a point on the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$  which bears S. 0°15'09" E. a distance of 117.0 feet from the Northeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence N. 89°57'55" W. a distance of 117.54 feet to a point; thence N. 0°15'09" W. a distance of 77.0 feet to a point; thence S. 89°57'55" E. a distance of 117.54 feet to a 1/2 inch iron pin on the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ , said iron pin being S. 0°15'09" E. 40.0 feet from the Northeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence S. 0°15'09" E. along said East line a distance of 77.0 feet to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title the 29 day  
of Dec A.D. 19 89 at 3:51 o'clock P M., and duly recorded in Vol. M89  
of Mortgages on Page 25098

FEE 28.00

Evelyn Bighn County Clerk  
By Bernetha J. Ketch