

## 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 interest 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:

Paul A. Frenzel  
 Mabel Frenzel  
 Route 2 Box 155  
 Bonanza, OR 97623

Robert and Sandy McAllister  
 Route 2 Box 155  
 Bonanza, OR 97623

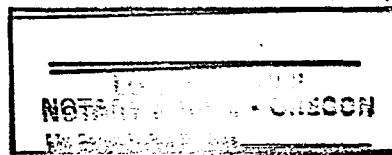
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary as actual notice (c) any person, including the Department of Revenue or any other state agency, having a lien or interest 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 April 27, 1990. 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 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 27 day of April, 1990.

*[Signature]*  
 Notary Public for Oregon  
 My Commission expires: 8/3/90



*[Signature]*  
 PROCTOR & FAIRCLO  
 ATTORNEYS AT LAW  
 280 MAIN STREET  
 KLAMATH FALLS, OREGON 97601

'90 APR 27 PH 2 08

## TRUSTEE'S NOTICE OF SALE

7924

Reference is made to that certain trust deed made by PAUL A. FRENZEL andMABEL FRENZEL

, as grantor, to

MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY

, as trustee,

in favor of PAMELA J. PEMBERTON

, as beneficiary,

dated September 29, 1988, recorded September 30, 1988, in the mortgage records ofKlamath County, Oregon, in book/reel/volume No. M88 at page 16312

fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real

property situated in said county and state, to-wit:

See attached 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:

Monthly payments of \$834.00 on October 20, 1988, and on November 20, 1988, and commencing December 20, 1988, and each month thereafter, payments in the amount of \$334.00, plus real estate taxes in the amount of \$530.00 plus interest.

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:

\$30,718.48 plus interest at the rate of \$8.1918 per day from April 19, 1990, plus late charges in the amount of \$1,367.50; plus real estate taxes in the amount of \$530.53 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on September 5, 1990, 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 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 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 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.

DATED April 27, 1990Richard 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.

## EXHIBIT "A"

A tract of land situated in Lot 45, Block 48, KLAMATH FALLS FOREST ESTATES, HIGHWAY 66 UNIT PLAT NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, being more particularly described as follows:

Lot 45, EXCEPTING THEREFROM the following:

Beginning at the Southeast corner of said Lot; thence North along the East line of said Lot, 250.82 feet; thence West parallel with the South line of said Lot to the West line thereof; thence South along said West line to the Southwest corner thereof; thence East along the South line of said Lot to the point of beginning.

Tax Account No.: 3811 015B0 02000

## PARCEL 2:

The North 1/2 of Lot 44 in Block 48, KLAMATH FALLS FOREST ESTATES, HIGHWAY 66 UNIT PLAT NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No.: 3811 015B0 01900

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Proctor & Fairclo the 27th day  
of April A.D., 19 90 at 2:08 o'clock P M., and duly recorded in Vol. M90  
of Mortgages on Page 7923.

FEE \$18.00

Evelyn Biehn - County Clerk

By Pauline M. Mulendore