

K-41997

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Linn, ss:

I, Janelle K. Amberg, 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 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 (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

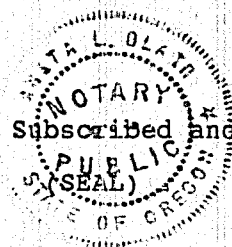
NAME	ADDRESS
Larry E. Hampson and Patricia L. Hampson	P. O. Box 425 Gilchrist, OR 97737

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 Michael F. McClain, 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 Albany, Oregon, on February 2, 1990. 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.

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



Janelle K. Amberg  
Janelle K. Amberg

Subscribed and sworn to before me this 8<sup>th</sup> day of June, 1990.

Ad Z. Blair  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/27/92

\* 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.

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

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After Recording Return To

Freedom Federal Savings and Loan Association  
Attn: Janelle K. Amberg  
P. O. Box 1179  
Albany, Oregon 97321

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Larry E. Hampson and Patricia L. Hampson, as grantor, to Klamath County Title Company, as trustee, in favor of Klamath County Title Company, as beneficiary, dated September 23, 1985, recorded September 30, 1985, in the Mortgage Records of Klamath County, Oregon in Volume M85, Page 15824, and as to which the beneficial interest was assigned to State Federal Savings and Loan Association by instrument recorded September 30, 1985, in Volume M85, Page 15829, and as to which the beneficial interest was further assigned to Federal National Mortgage Association by instrument recorded January 17, 1990, in Volume M90, Page 1139, and as to which Michael F. McClain was appointed Successor Trustee by instrument recorded January 17, 1990, in Volume M90, Page 1141, covering the following described real property situated in said county and state, to-wit:

Lot 4 of Crescent Heights, 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 Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly Principal, Interest, and Reserve Payment Due October 1, 1989, and All Such Payments Following:	\$ 668.00
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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:

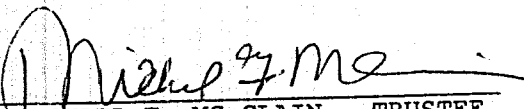
Principal Balance:	\$ 47,192.60
Total Late Charge:	<u>106.92</u>
	\$ 47,299.52

WHEREFORE, notice hereby is given that the undersigned trustee will on June 19, 1990, at the hour of 3:00 o'clock, P.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Klamath County Courthouse, front entrance, 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 Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 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 Section 86.753 of Oregon Revised Statutes.

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: January 23, 1990

  
MICHAEL F. MC CLAIN - TRUSTEE

STATE OF OREGON            )  
                                  ) ss.  
County of Linn            )

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

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

\_\_\_\_\_

## AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON

County of Klamath

I, Ella Newton, being first duly sworn, depose and say: That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Deschutes county, State of Oregon. I am not a party to, an attorney in, or interested in any suit or action involving the property described below.

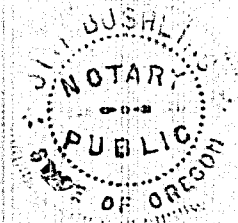
That on the 11 day of Feb, 1989, after personal inspection, I found the following described real property to be unoccupied:

Lot 4 Crescent Heights

Commonly described as: (street address) #4 Ozmar La  
Crescent, Oregon

Ella Newton

SUBSCRIBED AND SWORN to before me this 12 day of February,  
1989 1990.



[Signature]  
NOTARY PUBLIC FOR OREGON  
My commission expires: 2-11-92

# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

I, Deanna Azevedo, Office Manager

being first duly sworn, depose and say that

I am the principal clerk of the publisher of  
the Herald and News

a newspaper of general circulation, as  
defined by Chapter 193 ORS, printed and  
published at Klamath Falls in the  
aforesaid county and state; that the \_\_\_\_\_

LEGAL #1574

HAMPSON

a printed copy of which is hereto annexed,  
was published in the entire issue of said  
newspaper for FOUR

( 4 insertions) in the following issues: \_\_\_\_\_

APRIL 27, 1990

MAY 4, 1990

MAY 11, 1990

MAY 18, 1990

Total Cost: 280.16

Deanna Azevedo

Subscribed and sworn to before me this 18TH

day of MAY 19 90

[Signature]  
Notary Public of Oregon

My commission expires Jan 15, 91

(COPY OF NOTICE TO BE PASTED HERE)

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Larry E. Hampson and Patricia L. Hampson as grantor, to Klamath County Title Company, as trustee, in favor of Klamath County Title Company, as beneficiary, dated September 22, 1985, recorded September 30, 1985, in the Mortgage Records of Klamath County, Oregon in Volume 445, Page 1524, and as to which the beneficial interest was assigned to Share Finance Services and Loan Association by instrument recorded September 30, 1985, in Volume 445, Page 1529, and as to which the beneficial interest was further assigned to Federal National Mortgage Association by instrument recorded January 17, 1990, in Volume 470, Page 1139, and as to which Michael P. McCain was appointed Successor Trustee by instrument recorded January 17, 1990, in Volume 470, Page 1141, covering the following described real property situated in said county and state, to-wit:

Lot 4 of Crescent Heights, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.  
Klamath County Title Company 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 Section 86.753(3) of Oregon Revised Statutes, the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly Principal, Interest, and Reserve Payment Due October 1, 1989	\$660.00
and All Such Payments Following:	\$660.00
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 Balance	\$47,172.60
Total Late Charge	\$136.92
	\$47,299.52

WHEREFORE, notice hereby is given that the undersigned trustee will on June 17, 1990, at the hour of 3:00 o'clock P.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Klamath County Courthouse front entrance, 816 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 Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 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 Section 86.753 of Oregon Revised Statutes.

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: January 18, 1990

MICHAEL P. MCCAIN-TRUSTEE

STATE OF OREGON

County of Linn

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

MICHAEL P. MCCAIN

ATTORNEY FOR SAID TRUSTEE

FILED April 17, May 11, 18, 1990



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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 13th day  
of June A.D., 19 90 at 2:44 o'clock P.M., and duly recorded in Vol. M90  
of Mortgages on Page 11488.

FEE \$38.00

Evelyn Biehn County Clerk

By Pauline Mueller