

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 corrected 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:

Bruce P. Yost
1101 Hanks Street
Klamath Falls, OR 97601

Martha Lalina Yost
6800 So. Sixth Street, Sp.23
Klamath Falls, OR 97603

Bruce P. Yost
4206 Disbee Street
Klamath Falls, OR 97603

Jessica Howard
331 No. 9th Street, Apt. #1
Klamath Falls, OR 97601

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.

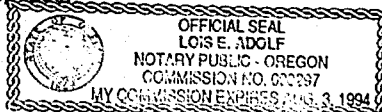
Each of the notices so mailed was certified to be true copy of the original notice of sale by RICHARD FAIRCLO, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on September 7, 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 10th day of September, 1990.

Lois E. Adorf
Notary Public for Oregon
My Commission expires:

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



LS 2 M 10 01 053 067

Reference is made to that certain trust deed made by BRUCE P. YOST

MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY
in favor of NANCY I. TURIELLO and RUDOLPH T. TURIELLO, wife and husband, as trustee, as beneficiary.
dated August 31, 1989, recorded September 5, 1989, in the mortgage records of
Klamath County, Oregon, in book 18412/volume No. M89 at page 16663.
covering the following described real property situated in said county and state, to-wit:

SEE ATTACHED EXHIBIT "A"

and replaces
This Notice corrects that certain Trustee's Notice of Sale of the same form which incorrectly states the sale date as January 8, 1990, recorded in Klamath County Records at M90, page 17514 on August 31, 1990.

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 \$350 due on November 9, 1989, and on July 1, 1990, and each month thereafter, including interest in the amount of 10 percent per annum from June 1, 1990. Also real estate taxes for the year 1989-90 in the amount of \$508.43 plus interest. Taxes for the fiscal year 1990-1991 are a lien, not yet due and payable.

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:

\$27,900.94 plus interest at the rate of \$7.4733 per day from August 6, 1990, plus real estate taxes for the year 1989-90 in the amount of \$503.43 plus interest. Taxes for the fiscal year 1990-91 are a lien, not yet due and payable.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 8, 1991, 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, Klamath Falls, County of Klamath, State of Oregon, sell at public

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 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 September 7, 1990

Richard Fairclo
Trustee

Klamath
State of Oregon, County of

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" LEGAL DESCRIPTION

PARCEL 1

That portion of Block 44 of NICHOLS ADDITION to the City of Klamath Falls, Oregon more particularly described as beginning at a point 243 feet North, 51 degrees 15' West of a point 60 feet North, 38 degrees 45' East of the Northeast corner of Block 12 in the City of Klamath Falls, (formerly Linkville), sometimes described as Block 12 of Nichols Addition to the City of Klamath Falls, the numbering of the Blocks in Nichols Addition to the City of Klamath Falls, being a continuation of the numbering of the blocks in the Original Town of Klamath Falls, formerly Linkville; thence North 38 degrees 45' East 155 feet 9 inches; thence North 51 degrees 15' West 57 feet; thence South 38 degrees 45' West 155 feet 9 inches; thence South 51 degrees 15' East 57 feet to place of beginning, being situated in the SW1/4 of the SE1/4 of Section 29, Township 38 South, Range 9 East of the Willamette Meridian, being a part of the land deeded to Sarah E. Taylor by Deed recorded in Book 1, page 457, Deed Records of Klamath County, Oregon.

EXCEPTING THEREFROM that portion of Block 44 of NICHOLS ADDITION to the City of Klamath Falls, Oregon, particularly described as beginning at a point 243 feet North, 51 degrees 15' West of a point 60 feet North, 38 degrees 45' East of the Northeast corner of Block 12 in the City of Klamath Falls, (formerly Linkville), sometimes described as Block 12 of Nichols Addition to the City of Klamath Falls, formerly Linkville, said point of beginning being on the Northeasterly line of Ninth Street; thence continuing North 51 degrees 45' West, a distance of 3.0 feet; thence North 38 degrees 15' East at right angles to Ninth Street, a distance of 81.10 feet; thence South 51 degrees 15' East a distance of 3.0 feet; thence South 38 degrees 45' West a distance of 81.10 feet to the point of beginning; said parcel being Southeasterly 3.0 feet of the Southwesterly 81.10 feet of that parcel described in Deed Volume M78, page 8088, Microfilm Records of Klamath County, Oregon.

TOGETHER WITH the unrestricted right of egress and ingress over and across a triangular shaped portion of the above described property being more particularly described as follows: Beginning at the most Northerly corner of the above described property; thence North 51 degrees 02' 13" West along the dead end of Washington Street, 15.48 feet; thence South 01 degrees 13' 10" West, 25.30 feet to a point on the Northwesternly line of Block 44 of NICHOLS ADDITION; thence North 38 degrees 57' 47" East along said Northwesternly Block line, 20.00 feet to the point of beginning.

Tax Account No: 3809 029DC 16000

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 10th day
of _____ Sept. _____ A.D., 19 90 at 2:57 o'clock _____ PM., and duly recorded in Vol. M90
of _____ Mortgages _____ on Page 18111
Evelyn Biehn - County Clerk
By Pauline Muelandere

FEE \$18.00