

OC

20680

Vol. m90 Page 19405

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

STATE OF OREGON, County of Deschutes, ss:

I, C. E. FRANCIS

, 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  
GERALD L. BROWN

ADDRESS  
PO BOX 109  
CRESCENT LAKE OR 97425

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.....  
C. E. FRANCIS, 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 BEND, Oregon, on AUGUST 16, 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.

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 24th day of September, 1990.

C. E. FRANCIS  
Ruth J. Montgomery  
Notary Public for Oregon. My commission expires 7-24-93.

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

GERALD L. BROWN

Grantor

TO

NORMAN HOFFMAN & MAVIS  
HOFFMAN

Trustee

AFTER RECORDING RETURN TO

FRANCIS & MARTIN  
1199 NW WALL STREET  
BEND OR 97701

(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 \_\_\_\_\_ or as fee/tile/instrument/microfilm/reception No. \_\_\_\_\_. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_ Deputy

TRUSTEE'S NOTICE OF SALE

19406 

Reference is made to that certain trust deed made by GERALD L. BROWN

BEND TITLE COMPANY, original trustee, then C. E. FRANCIS, successor trustee, as grantor, to  
in favor of NORMAN HOFFMAN and MAVIS L. HOFFMAN, as trustee,  
dated October 5, 1989, recorded October 9, 1989, in the mortgage records of  
Klamath County, Oregon, in ~~book~~/file/~~volume~~ No. at page for  
~~as to the instrument/microfilm/reception~~ No. M89-19030 (indicate which), covering the following described real  
property situated in said county and state, to-wit:

Lot 8, Block 5, RIVER PINE ESTATES, 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:  
Failure to make payment in the amount of EIGHT HUNDRED SEVENTY AND 38/100 DOLLARS  
(\$870.38) due March 10, 1990; and a like payment the 10th day of every month thereafter.  
Failure to pay the 1989-90 taxes in the amount of TWO HUNDRED FIFTY-FOUR AND 21/100  
DOLLARS (\$254.21) plus interest thereon.

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:  
The principal sum of SIX THOUSAND EIGHT HUNDRED EIGHTY AND NO/100 DOLLARS (\$6,880.00)  
plus interest at the rate of \$1.8849 per diem from February 10, 1990, forward.

Taxes for 1989-90 in the amount of TWO HUNDRED FIFTY-FOUR AND 21/100 DOLLARS (\$254.21)  
plus interest thereon.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 19, 1990,  
at the hour of two o'clock, P.M., in accord with the standard of time established by ORS 187.110, at  
the front 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.

DATED August 16, 1990

C E F

C. E. FRANCIS

Trustee

State of Oregon, County of        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

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: OCCUPANT

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Francis & Martin the 26th day  
of Sept. A.D., 19 90 at 9:10 o'clock A M., and duly recorded in Vol. M90  
of        Mortgages on Page 19405

FEE \$13.00

Evelyn Biehn County Clerk

By Pauline Muelken