

OC

27002  
91-05146

AMENDED

## AFFIDAVIT OF MAILING/TRUSTEE'S NOTICE OF SALE

2:56

20-00



STATE OF OREGON, County of JACKSON, ss:

Vol. 91 Page 4710

PATRICK G. HUYCKE

I, \_\_\_\_\_, 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

SEE ATTACHED EXHIBIT "A"

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 \_\_\_\_\_

Patrick G. Huycke \_\_\_\_\_, 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 Medford \_\_\_\_\_, Oregon, on March 8, 1991. 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.

Patrick G. Huycke

Subscribed and sworn to before me this 8th day of March, 1991.

Barbara J. Reinstein  
Notary Public for Oregon. My commission expires 4-20-91.

\*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

LAWRENCE R. SABIN AND  
SHELLA V. SABIN

Grantor

TO

ASPEN TITLE &amp; ESCROW

Trustee

AFTER RECORDING RETURN TO

PATRICK G. HUYCKE  
710 CARDLEY AVENUE  
MEDFORD OR 97504

(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/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Mortgages of said County. Witness my hand and seal of County affixed.

NAME

TITLE

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

91 MAR 15 AM 10 07

## EXHIBIT "A"

<u>NAME</u>	<u>ADDRESS</u>
Marilee Sabin	P. O. Box 115 Crescent, OR 97733
Jessie Sabin	P. O. Box 115 Crescent, OR 97733
Lawrence R. Sabin Sheila V. Sabin	317 Espey Road Grants Pass, OR 97526

91-05146

AMENDED

## TRUSTEE'S NOTICE OF SALE

4712

Reference is made to that certain trust deed made by  
 Lawrence R. Sabin and Sheila V. Sabin  
 Aspen Title & Escrow  
 in favor of Transamerica Financial Services  
 dated January 30, 1989, recorded February 3, 1989, as trustee,  
 Klamath County, Oregon, in book/record No. M-89, in the mortgage records of  
 as fee/file/instrument/microfilm/reception No. 2170, at page 2170, or  
 property situated in said county and state, to-wit: (indicate which), covering the following described real

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:  
 Failure to pay installments of principal and interest due on the 3rd day of each month in the amount of \$331.00 for the months of August, 1989 through March, 1991, total now due: \$6,289.00; failure to pay delinquent property taxes, paid by beneficiary on January 9, 1990 in the amount of \$536.12.

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:  
 Balance due of \$13,425.54, plus interest thereon at the rate of 15 percent per annum from September 1, 1989 until paid, plus the sum of \$536.12 for delinquent property taxes paid by beneficiary, plus interest thereon at the rate of 15 percent per annum from January 9, 1990 until paid.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 20, 1991, at the hour of 1:30 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at the steps at the front door 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 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. The original sale proceedings were stayed by the bankruptcy of grantor; the stay terminated February 26, 1991.

DATED March 7, 1991

Patrick G. Maycke, Successor Trustee

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

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"

Lot 6, Block 2, RIDDLE ACRES, in the County of Klamath, State of Oregon, EXCEPT the West 150 feet.

ALSO INCLUDED: 1964 Pontiac mobile home, Oregon license No. X104765, title No. 8915187815, vehicle identification number PK11098.

ALSO INCLUDED: 1967 Brookwood mobile home, Oregon license No. X131349, title No. 9004058701, vehicle identification number 8541.

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

Patrick G. Huycke  
on this 15th day of March A.D. 19 91  
at 10:07 o'clock A M. and duly recorded  
in Vol. M91 of Mortgages Page 4710  
Evelyn Biehn  
County Clerk  
By Dorene Muckelbauer  
Deputy.  
Fee, \$23.00

~~Jackson County, Oregon  
Recorded  
OFFICIAL RECORDS~~

2:56 MAR 12 1991 P.M.

~~KATHLEEN S. BECKETT  
CLERK and RECORDER~~

~~By Janet K... Deputy~~