

31312

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol. 1191 Page 12477

STATE OF OREGON, County of Jackson, ss:

I, GLENN H. MUNSELL, Trustee

, 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

James L. Cartwright

7624 Ort Way  
North Highlands, CA 95660

Carolyn S. Nelson, now known as  
Carolyn S. Cartwright

7624 Ort Way  
North Highlands, CA 95660

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 Judith H. Uherbelau of Ashland, 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 Ashland, Oregon, on February 20, 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.

Subscribed and sworn to before me this 19<sup>th</sup> day of June, 1991.

(SEA)



\* More than one form if parties are numerous or when the mailing is done on more than one date.

Kathleen L. Neet  
Notary Public for Oregon. My commission expires 3-2-95

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

JAMES L. CARTWRIGHT and CAROLYN S. NELSON, as tenants in common

Grantor

GLENN H. MUNSELL TO

Trustee

HOWSER & MUNSELL  
PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
607 SISKIYOU BLVD. - P. O. BOX 640  
ASHLAND, OREGON 97520

(DON'T USE THIS  
SPACE) RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

STATE OF OREGON,

County of Jackson, ss.

I certify that the within instrument was received for record on the 19<sup>th</sup> day of June, 1991, at 7:00 o'clock AM, and recorded in book/reel/volume No. 1191 on page 12477 or as fee/file/instrument/microfilm/reception No. 1191-12477.  
Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By Glenn H. Munsell Deputy

91 JUN 20 PM 3 02

## TRUSTEE'S NOTICE OF SALE

12478

Reference is made to that certain trust deed made by JAMES L. CARTWRIGHT and CAROLYN S. NELSON, as tenants in common  
Glenn H. Munsell, as grantor, to  
 in favor of Thomas C. Howser, Trustee under Trust dated 12-31-86, as trustee,  
 dated October 17, 1986, recorded May 27, 1987, in the mortgage records of  
Klamath County, Oregon, in book/ord/volume No. M87 at page 9016, ~~XX~~  
~~and file of instrument, and of file of reception book~~ (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

Lot 6, Block 6, Klamath Country, in the County of Klamath, State of Oregon, as shown on Map filed in Book 20, page 6, of Maps, in the office of the County Recorder of said County.

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: The monthly payments in the amount of \$62.64, due on July 23, 1990, and on the 23rd day of each month thereafter; and the real property taxes due for the year 1990-91 in the amount of \$92.55, plus interest to February 16, 1991, in the amount of \$1.23.

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: Unpaid principal balance of \$3,096.45, PLUS interest thereon at the rate of 10% per annum from June 26, 1990, until paid; PLUS the costs, expenses, trustee's fees and attorney fees incurred by the beneficiary in enforcing the terms of the obligation.

WHEREFORE, notice hereby is given that the undersigned trustee will on July 18, 1991, at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Front steps of the Klamath County Courthouse, 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 be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by rendering 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 February 19, 1991.

Glenn H. Munsell  
 Glenn H. Munsell Trustee

State of Oregon, County of Jackson 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

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Glenn H. Munsell the 28th day  
 of June A.D., 19 91 at 3:02 o'clock P.M., and duly recorded in Vol. M91,  
 of Mortgages on Page 12477.

FEE \$13.00

Evelyn Biehn - County Clerk

By Dorlene Muelken