

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Klamath) ss.

I, MICHAEL L. BRANT, being first duly sworn, depose, 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:

Edwin Walker  
Beatty OR 97621

State of Oregon  
Judicial Department  
State Court Administrator's Building  
Salem OR 97310

Mr. and Mrs. Hoffman  
c/o Mark A. Peterson  
Attorney at Law  
310 SW 4th Avenue  
Portland OR 97204

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 L. Brant, 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 April 22, 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.

Michael L. Brant

Subscribed and sworn to before me this 27th day of August, 1991.

Wendy Young  
Notary Public for Oregon

My Commission Expires: 8/31/91

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Edwin J. Walker

Grantor

to

Mountain Title Co. Inc.

Trustee

STATE OF OREGON, County of Klamath) ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 1991, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in Volume M 91 on page \_\_\_\_\_ or as instrument no. \_\_\_\_\_, Record of Mortgages of said County.

EVELYN BIEHN, County Clerk

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

AFTER RECORDING, RETURN TO:  
Michael L. Brant  
325 Main Street  
Klamath Falls OR 97601

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Edwin J. Walker, as Grantor, to Mountain Title Co., Inc., as Trustee, in favor of Bill B. Harp and/or Roselyn M. Harp, as beneficiary, dated June 25, 1985 and recorded June 27, 1985 in the mortgage records of Klamath County, Oregon in Volume No. M85 at page 9898, covering the following described real property situated in said county and state, to-wit:

That portion of Government Lot 11 lying south of the O & C Railroad right of way and the north 1/2 and the north 1/2 of the south 1/2 of Government Lot 14, all situate in Section 14, Township 36 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

Code 8 Map 3612-1400 TL 301

An assignment of the Trust Deed by the Beneficiary whereby Bill B. Harp and Roselyn M. Harp transferred all their beneficial interest in the subject property to Oscar T. Anderson, Jr. was signed 1/14/91 and recorded 1/16/91 in Vol. M 91 at page 1117 as document no. 24914 in the Record of Mortgages of Klamath County, Oregon.

Both the beneficiary and the successor trustee, Michael L. Brant, 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 ORS 86.735 (3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Principal in the amount of \$10,593.27, plus interest from 2/16/89 in the amount of \$1,363.48, plus taxes.

Interest will accrue from 4/9/91 at the rate of \$1.74 per day.

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 in the amount of \$10,593.27, plus interest from 2/16/89 in the amount of \$1,363.48. Interest will accrue from 4/9/91 at the rate of \$1.74 per day, plus taxes, attorney's fees and costs incurred as a result of this foreclosure.

WHEREFORE, notice hereby is given that the undersigned trustee will on September 16, 1991, at the hour of 10 o'clock a.m., in accord with the standard of time established by ORS 187.110, on the steps of the Klamath County Courthouse, 316 Main Street, 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 sum 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 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 THIS 22<sup>nd</sup> day of April, 1991.

Michael L. Brant  
Michael L. Brant  
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

I, the undersigned, certify that I am the attorney for the above-named Successor Trustee and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

Michael L. Brant, Attorney for  
Successor Trustee

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Michael L. Brant the 29<sup>th</sup> day  
of Aug. A.D., 19 91 at 11:47 o'clock A.M., and duly recorded in Vol. M91,  
of Mortgages on Page 17297.  
Evelyn Biehn County Clerk  
By Randall M. [Signature]

FEE \$13.00