

OC

37080

ASPEN 04036559
TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

Vol. m91 Page 23383

STATE OF OREGON,

County of Klamath

} ss.

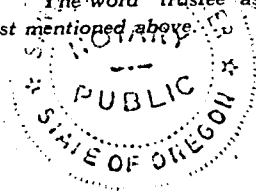
I, Andrew A. Patterson, Assistant Secretary for Aspen Title & Escrow, Inc.
being first duly sworn, depose, say and certify that:

I am the trustee in that certain trust deed executed and delivered by
JOSE ARDEN M. MANALO AND GISELA TAY, not as tenants in common, but with rights* as grantor
to ASPEN TITLE & ESCROW, INC., An Oregon Corporation as trustee,
in which F. N. REALTY SERVICES, INC., A California Corporation, Trustee
is beneficiary, recorded on July 18, 1990, in the mortgage records of Klamath
County, Oregon, in book/~~reel~~ volume No. M-90, at page 14231 ~~XXXXXX/FILE INSTRUMENT/MICROFILM/RECEP~~
~~XXXXXX/FILE INSTRUMENT/MICROFILM/RECEP~~, covering the following described real property situated in said county:

Lot 40, Block 32, Tract 1184, OREGON SHORES UNIT #2, FIRST
ADDITION, in the County of Klamath, State of Oregon.

CODE 118 MAP 3507-17CA TL 4800

I hereby certify that on June 28, 1991, the above described real property was not occupied.
The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed
first mentioned above. ASPEN TITLE & ESCROW, INC.
BY Andrew A. Patterson Trustee



Subscribed and sworn to before me June 28, 1991...

Jandra Handwerker
Notary Public for Oregon

My commission expires 7/23/93...

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCY

RE: Trust Deed from
Jose Arden M. Manalo
Gisela Tay

Grantor

to
Aspen Title & Escrow, Inc.

Trustee

AFTER RECORDING RETURN TO
Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601

!DON'T USE THIS
SPACE, RESERVED
FOR RECORDING
LABEL IN COUNTIES
WHERE USED.!

STATE OF OREGON,
County of Klamath } ss.

I certify that the within instrument
was received for record on the 7th day
of Nov., 1991,
at 9:57 o'clock A. M., and recorded
in book/reel/volume No. M91 on
page 23383 or as fee/file/instru-
ment/microfilm/reception No 37080.,
Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

Evelyn Biehn, County Clerk.
NAME TITLE

By Deanne M. Mullins Deputy

Fee \$8.00

NOV 7 AM 9 57

OT

ASPEN 04036559

TRUSTEE'S NOTICE OF SALE

23382

Reference is made to that certain trust deed made by JOSE ARDEN M. MANALO AND GISELA TAY, not as tenants in common, but with rights of survivorship, as grantor, to ASPEN TITLE & ESCROW, INC., An Oregon Corporation, as trustee, in favor of F. N. REALTY SERVICES, INC., A California Corporation, as beneficiary, dated May 14, 1990, recorded July 18, 1990, in the mortgage records of Klamath County, Oregon, in book xxx/xxxxx No. M-90 at page 14231 xxx
~~xxx for life instrument in trust for or upon xxxxxxxxxxxxxxxxx (indicate which)~~, covering the following described real property situated in said county and state, to-wit:

Lot 40, Block 32, Tract 1184, OREGON SHORES UNIT #2, FIRST ADDITION, in the County of Klamath, State of Oregon.

CODE 118 MAP 3507-17CA TL 4800

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 installments of principal and interest due for the months of August, September, October, November, and December of 1990 and January, February, March, April, May and June of 1991, in the amounts of \$107.14 each; and subsequent installments of like amounts; subsequent amounts for assessments due under the terms and provisions of the Note and Trust Deed.

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: \$8,348.44 plus interest and late charges, thereon from July 20, 1990, at the rate of NINE AND ONE-HALF (9.5%) PER CENT PER ANNUM until paid and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on November 8, 1991, at the hour of 10:05 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at ASPEN TITLE & ESCROW, INC., 525 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 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 June 28, 1991

ASPEN TITLE & ESCROW, INC.

BY [Signature]

Trustee

State of Oregon, County of Klamath

ss: Assistant Secretary

I, the undersigned, certify that I am the ~~attorney for the above named trustee~~ for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Assistant Secretary ~~XXXXXXXXXX~~ 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: _____

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 7th day of Nov. A.D., 19 91 at 9:56 o'clock A.M. and duly recorded in Vol. M91 of Mortgages on Page 23381

FEE \$13.00

Evelyn Biehn • County Clerk

By [Signature]