

46302

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol. m92 Page 13312

STATE OF OREGON, County of Klamath, ss:

I, Donald R. Crane

, 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

STATE OF OREGON

c/o Ed Caleb, District Attorney  
for Klamath County, Oregon

Klamath County Courthouse  
316 Main Street  
Klamath Falls, OR 97601

JESSIE MARTIN GIL

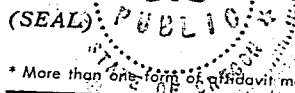
P.O. Box 468  
Keno, OR 97627

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 Donald R. Crane, 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 January 29, 1992. 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 or trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before me this 16th day of June, 1992



Notary Public for Oregon. My commission expires 11/15/92

\* 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  
Jessie Martin Gil

Grantor

Mountain Title Company  
of Klamath County

Trustee

AFTER RECORDING RETURN TO

Donald R. Crane  
635 Main Street  
Klamath Falls, OR 97601

(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 1992, 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

13313

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT  
AND PROOF OF SERVICETRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:  
STATE OF OREGONCounty of Klamath } ss.

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3), upon the occupant of the property described in said Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in said trust deed, are as follows:

NAME OF PERSON TO BE SERVED  
(If unknown, so state)

PROPERTY ADDRESS

Occupants

428 Broad Street  
Klamath Falls, OR 97601

If the occupant is indicated as "unknown", or if you find the property at said address to be occupied by other than the person named, then you are instructed to serve the person or persons whom you find to be occupying said property.

Service should be made by February 17, 1992, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in making service until it has been accomplished.

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 4th day of February, 1992

(Attorney for) Trustee

(SEAL)

Kristin A. Bung  
Notary Public for Oregon. My commission expires: 11/15/92

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

TRUSTEE'S INSTRUCTIONS AND PROOF OF  
SERVICE UPON OCCUPANT OF TRUSTEE'S  
NOTICE OF SALE

(120-Day Notice per ORS 86.750(1))

RE: Trust Deed from  
Jessie Martin Gil

Grantor

TO  
Mountain Title Company  
OF Klamath County

Trustee

AFTER RECORDING RETURN TO

Donald R. Crane  
635 Main Street  
Klamath Falls, OR 97601

SPACE RESERVED

FOR  
RECORDER'S USE

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

OT

## TRUSTEE'S NOTICE OF SALE

13314



Reference is made to that certain trust deed made by Jessie Martin Gil, a single man, as grantor, to Mountain Title Company of Klamath County, as trustee, in favor of Giovanni Mangione, as beneficiary, dated April 17, 1991, recorded April 19, 1991, in the mortgage records of Klamath County, Oregon, in ~~book 7281~~ volume No. M91 at page 7156, or ~~as the beneficiary of the trust deed~~ covering the following described real property situated in said county and state, to-wit:

Lots 4B and 5A, Block 5, RAILROAD ADDITION to the City of Klamath Falls, 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 default for which the foreclosure is made is grantor's failure to pay when due the following sums:

monthly installments of \$257.69 each payable on the 18 day of each month beginning May 18, 1991 together with a late fee of ten percent (10%) of the monthly installment for each installment paid more than fifteen (15) days after its due date.

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: NINETEEN THOUSAND FIVE

HUNDRED and no/100 (\$19,500.00) DOLLARS and ten percent (10%) of each monthly installment more than fifteen (15) days late and interest at the rate of ten percent (10%) per annum on \$19,500.00 from April 18, 1991 until paid, together with all costs, disbursements, and/or fees (over) below\*

WHEREFORE, notice hereby is given that the undersigned trustee will on June 17, 1992, at the hour of 9:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the office of Donald R. Crane, 635 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 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 January 29, 1992.

Donald R. Crane  
Donald R. Crane

Trustee

State of Oregon, County of Klamath 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:

\* incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

13315

Court Case No.  
Sheriff's Case No. 92-00460

OR 97601

# Affidavit of Publication

## STATE OF OREGON, COUNTY OF KLAMATH

I, Sarah Parsons, Office Manager,  
being first duly sworn, depose and say  
that I am the principal clerk of the  
publisher of the Herald and News  
a newspaper of general circulation, as  
defined by Chapter 193 ORS, printed and  
published at Klamath Falls in the  
aforesaid county and state; that the \_\_\_\_\_

LEGAL #4410

NOTICE OF SALE

a printed copy of which is hereto  
annexed, was published in the entire  
issue of said newspaper for \_\_\_\_\_

FOUR

( 4 insertions) in the following issues:

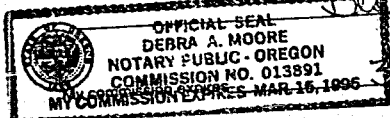
MAY 8, 15, 22, 29, 1992

Total Cost: \$354.20

*Sarah L. Parsons*

Subscribed and sworn to before me this 29TH

day of MAY 19 92



Notary Public of Oregon

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Donald R. Crane the 16th day  
of June A.D., 19 92 at 4:18 o'clock P.M., and duly recorded in Vol. M92  
of Mortgages on Page 13312

FEE \$30.00

Evelyn Biehn, County Clerk  
By *Caroline Mulholland*

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Jessie Martin Gil, a single man, as grantor, to Mountain Title Company of Klamath County, as trustee, in favor of Giovanni Mangione, as beneficiary, dated April 17, 1991, recorded April 19, 1991, in the mortgage records of Klamath County, Oregon, in Volume No. M91 at page 7156, covering the following described real property situated in said county and state, to-wit:

lots 4B and 5A, Block 5, RAILROAD ADDITION to the City of Klamath Falls, 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 default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly installments of \$257.69 each payable on the 18 day of each month beginning May 18, 1991 together with a late fee of ten percent (10%) of the monthly installment for each installment paid more than fifteen (15) days after its due date.

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: NINETEEN THOUSAND FIVE HUNDRED and no/100 (\$19,500.00) DOLLARS and ten percent (10%) of each monthly installment more than fifteen (15) days late and interest at the rate of ten percent (10%) per annum on \$19,500.00 from April 18, 1991 until paid, together with all costs, disbursements and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 17, 1992, at the hour of 9:00 o'clock, a.m., in accord with the standard of time established by ORS 187.110, at the office of Donald R. Crane, 635 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: January 29, 1992  
Donald R. Crane  
#4410 May 8, 15, 22, 29, 1992