EM Not 1109- AFFDAVITOF MAILING TRUSTER'S NOTICE OF SALE-Origon Trust Dood Series. COPYRIGHT 1990

Volm92 Hage 25204

52907 'SE OCT 27 AH 10 2 AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of _____Multnomah_____, ss:

I. Susan J. MacLeod 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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

Robert F. Brown

ADDRESS

5030 Old Sonoma Road Napa, California 94558

Robert F. Brown and/or OCCUPANT c/o Brown Ranches

McCarty Lane Bonanza, OR 97623

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

David B. Paradis , 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 <u>Portland</u>, Oregon, on <u>July 16.1992</u>, 19. 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.



<u>//wa_</u> /	raca	LOC
MacLeod	-	

Subscribed and sworn to before me on _____July_16____, 1992...

Notary Public for Oregon. My commission expires 9-18-93

		STATE OF OREGON	<u>,</u>
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE		County of	22/
RE: Trust Deed from		was received for record	
Robert F. Brown	DON'T USE THIS	of	
Grantor TO The Travelers Insurance Company	SPACE; RESERVED FOR RECORDING LABEL IN COUN. TIES WHERE USED.)	in book/reel/volume page ment/microtilm/recor Record of Mortgages	as tee/file/instru- tion No, Ssaid County.
Trustee		Witness my h County affixed.	and and seal of
AFTER RECORDING RETURN TO Beverly S. Thomas			TITLE
1100 SW Sixth, Suite 1600 Portland, OR 97204		By	Deputy

* 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 attidavit.

FORM No. 885-TRUSTEE'S NOTICE OF SALE-Oregon Trust Deed Series.	COPTRIGHT 1989	STATENS-HESS CAR FOULIANDIN STATISTIC STATES
TRUSTEE	-44310 s notice of sale	
Reference is made to that certain trust deed mad	Aby ROBERT F.	BROWN
		as grantor, to, as trustee,
inference THE TRAVELERS INSURANCE C	OMPANY	as beneficiary,
dated June 15 19.89, recorded	June 22	, 1989, in the mortgage records of
Klamath County, Oregon, in 500 as fec/filc/instrument/microfilm/reception No.	*/reet/volume No118.9 (indicate which)	, covering the following described real
property situated in said county and state, to-wit:		

SEE EXHIBIT "A", ATTACHED HERETO

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:

SEE EXHIBIT "B", ¶A, ATTACHED HERETO

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:

SEE EXHIBIT "B", "B, ATTACHED HERETO

WHEREFORE, notice hereby is given that the undersigned trustee will on November 24, 19.92, the front steps 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 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 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 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	July 15 ,19.93	2 Dean P. Gisvola Successor Trustee	
I, the under the foregoing is a	ounty of <u>Multnomah</u> rsigned, certify that I am the attor complete and exact copy of the ori Beverly Thomas 1100 SW Sixth, Suite Portland, OR 97204		that
ORS 86.740 or ORS 8	opy to be served pursuant to 36.750(1), fill in opposite of party to be served.	SERVE:	

EXHLBIT "A"

DESCRIPTION OF PROPERTY

25206

The following described real property situate in Klamath County, Oregon: PARCEL 1:

Township 33 South, Range 6 East of the Willamette Meridian

Section 35: SEt

Township 34 South, Range 6 East of the Willamette Meridian

Section 1: Lots 5 and 6, Lots 7 and 10 less that portion conveyed to Robert D. Helms et ux, by deed recorded in Volume 227 of Deeds page 92, Lots 11, 12, 13 and 20

Section 2: Lots 1, 2, 3, 6, 7, 8, 9, 10, 16, 17 and 24

EXCEPTING THEREFROM a road right of way 155 feet in width across the E of Section 35, Township 33 South, Range 6 E.W.M. as conveyed to Klamath County, Oregon by Deed recorded April 9, 1965, in Deed Volume 360 at page 541 and by Deed recorded April 19, 1965, in Volume 360 at page 656.

ALSO EXCEPTING THEREFROM a road right of way across the E¹ of Section 35, Township 33 S.R. 6 E.W.M. and across the W¹ of Section 36, Township 33 S.R. 6 E.W.M., as conveyed to Klamath County, Oregon by deed recorded July 14, 1965, in Deed Volume 363 at page 178.

PARCEL 2:

Township 34 South, Range 71 East of the Willamette Meridian

A piece or parcel of land situated in Sections 5, 8, 16, 17, 20 and 21, and being more particularly described as follows:

Beginning at the intersection of the center line of Seven Mile Canal as the same is now located and constructed, with the line marking the Westerly boundary of the said Section 5, Township 34 South, Range 7½ East of the Willamette Meridian, and from which point the Southeasterly corner of Section 1, Township 34 South, Range 6 East of the Willamette Meridian, as established by Norman D. Price, U. S. Cadastral Engineer, between October 31, 1930, and June 22, 1931, bears South 83°59' West, 5310.1 feet distant, and running; thence downstream along the said center line of Seven Mile Canal South 61°35½' East 861.2 feet; thence South 31°46½' East 2306.4 feet; thence South 34°23½' East 1252.4 feet; thence South 32°27½' East 2101.8 feet; thence South 41°02½' East 8802.1 feet, more or less, to the intersection of the said center line of Seven Mile Canal, with a line which is parallel with and 70.0 feet at right angles Southeasterly from the center line of the Dixon and McQuiston Levee, as the same is now located and constructed; thence leaving the center line of

EXHIBIT "A" - Legal Description

Page 1 of 2



Seven Mile Canal and following the said line parallel with the said Dixon and Mequiston Levee South 44°40' West 6437.9 feet, more or less, to its intersection with the Southerly boundary of the said Section 20, Township 34 South, Range 71 East of the Willamette Meridian; thence Westerly along the Southerly boundary of said Section 20, 4905.3 feet, more or less, to the Southwesterly corner of the said Section 20, Township 34 South, Range 71 East of the Willamette Meridian; thence North along the Westerly boundary of the said Sections 20, 17, 8 and 5, Township 34 South, Range 71 East of the Willamette Meridian, 16,570.6 feet, more or less, to the said point of beginning.

EXCEPTING THEREFROM that portion conveyed to D'Artnery Bros., a Co-partnership, by deed recorded in Volume 331 at page 367, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM that portion conveyed to Byron W. Bacchi, et_ux., and Henry Francis Bacchi, et ux., by Deed recorded in Volume 350 at page 675, Deed Records of Klamath County, Oregon.

PARCEL 3:

Township 39 South, Range 12 East of the Willamette Meridian:

Section 6: EISWI, NWISEI

Section 7: Lots 1, 2, 3, 4, E1W1, SISE1

Section 17: WHNW and that portion of the NEHNW West and North of the // Horsefly Irrigation District Canal.

Section 18: Lot 1, EłNWł, NEł, NEłSEł, and all those portions of Lots 2 and 3 and the NEłSWł, NWłSEł, and SEłSEł lying North of Lost River.

EXHIBIT "A" - Legal Description

Page 2 of 2

EXHIBIT "B"

A. CURRENT DEFAULTS

Possible failure to keep Property insured.

Semi-Annual payment of interest due April 1, 1992

\$52,219.97*

\$1,163,885.29

252(8

Plus default interest on such unpaid amounts from April 1, 1992, until paid, and cost of foreclosure title report and guarantee, attorney fees and costs, trustee's fees, and other costs and expenses associated with the foreclosure and possible costs to insure property, if not insured by grantor. The next semi-annual payment of interest is due October 1, 1992, and if not paid, will be delinquent and accrue default interest. The next annual principal payment is due October 1, 1992, and if not paid, will be delinquent and accrue default interest.

*The original payment was \$56,870.00. On May, 4, 1992, \$4,650.03 was applied to such amount.

B. ENTIRE INDEBTEDNESS

Outstanding principal balance plus accrued and default interest as of July 2, 1992

Plus default interest from July 2, 1992, until paid at the per diem rate of \$556.7366, plus cost of foreclosure title report and guarantee, attorney fees and costs, trustee's fees and any other sums due or that may become due under the Note or by reason of this foreclosure, including but not limited to prepayment charges and advances made by beneficiary or trustee as allowed by Note and Deed of Trust.

C. DELINQUENT PROPERTY TAXES

Delinquent real property taxes in the sum of \$10,497.08, plus penalties and interest, and any other sums due the tax collector.

D. OTHER

Any other sums due or that may become due under the Note or Deed of Trust.

1 - EXHIBIT "B"

TIC\BROWN480.EXB

Ar a resident of the state wherein the service bereinstress set forth was made; that I am not the beneficiary or trustee named: in an other beneficiary or trustee named: the service or the served, named, but here individuals and other legal entities to be served, named, but here individuals and other legal entities to be served, named, but here individuals and other legal entities to be served, named, but here individuals and other legal entities to be served, named, but here on the successor of other trustee, as to be an one of the base of an other beneficiary or trustee, as to be developed beneficiary or trustee, as to be an other beneficiary or trustee, as the other beneficiary and in person over the	TATE OF OR	EGON	PROOF OF KLAMA) as.		
Upon	I hereby certin and a resident of the riginal trustee's Not eneficiary or trustee I made service elow, by delivering t	y and swear that at state wherein the service of Sale attached , or successor of either of the attached origin rue copies of said Noti	all times herein mentione vice hereinalter set forth hereto, nor the successor r, corporate or otherwise. al Trustee's Notice of Sal ice of Sale certified to be Personal Service U	of I was and now am a was made; that I am of either, nor an office e upon the individuals such by the attorney fo pen Individual(s)	a competent perso not the beneficiar or, director, emplo and other legal er or the trustee or au	y or trustee named yee of or attorney i ntitles to be served, accessor trustee, as fo	in th for th name ollow:
Upon	Upon NI BONANZA (CK HOOGOISH BROWN) RANCH	, bonanza , Ó	by delivering such true R, onJUI	copy to him/her, Y 25, 199	personally and in p 2, at 7:55 o'clock	P
Substituted Service Upon Individuel(s) Upon	Upon		······	by delivering such true	copy to him/her,	personally and in p	persor
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usual place of abode, to-wit:					•		
means and a member of the household of the person served on							
te of 14 years and a member of the household of the person served on, by delivering such true copy at his/her dwelling r usual place of abode, to-wit:, who is a person or ge of 14 years and a member of the household of the person served on, by delivering such true copy at his/her dwelling r usual place of abode, to-wit:, who is a person or ge of 14 years and a member of the household of the person served on, 19,, at, o'clock Office Service Upon Individual(s) Upon, at the office which he/she maintains for the cond usiness at, the person service on Corporations, Umited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name Upon							
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 Specify registered agent, officer (by title), director, general partner, managing agent. 	(b) leavin	such true copy with		, t	he person who is	apparently in charge	of t
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Service Upon State of Oregon Upon the State of Oregon by leaving such true copy with, a de lerk (delete word inapplicable) at the office of the Attorney General on	* Speci	y registered agent, offici	cer (by title), director, gene	ral partner, managing age	nt.		
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	office of,who i	s a/tho * there	;oi;
	Specify director, managing agent, clerk, secretary	on	
	· · · · · · · · · · · · · · · · · · ·		

FURTHER, it such public body is a county, I served an additional true copy of the Notice of Sale upon..... , who is the district attorney for the county, by

at.

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(a) delivering such true copy, personally and in person, to said district attorney, OR (b) leaving such true copy with, the person who is apparently in charge of the district attorney's office, at

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.

	, after reasonable	efforts to do so have been mace;
I attempted to make service by		4
	11 barle,	plorge Norma
Subscribed and sworn to belore me this	1 day of JJ	GEORGE DOUMAR NOTARY PUBLIC - OREGON
(SEAL)	Notary Public for Oregon My commission expires	My Commission 4-3-90
PUBLISHER'S NOTE: ORS 86.740(2) requires that the Noti Civil Procedure 7 D. (2) and 7 D. (3). The Proof of Servic include proof of service upon a minor or incapacitated	a chove contains mast, but not Dit. Of the methods VI a	Bivice, for example, and form does not

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, who is the district atto	orney for the county, by	(b) leaving such true copy with
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ORPORATION NAMED IN THE TRUSTEES I	NSIROCITONS IO M2 III Contra reasonable	
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	Jh baly	Storge houmon
Subscribed and sworn to before me this	day of July 1992.	GEORGE DOUMAR NOTARY PUBLIC - OREG
a de la companya de La companya de la comp	Notary Public for Oregon	My Commission Stories 4-3-
SEAL)	My commission expiress	ins is served pursuant to Oregon Rules of
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	PROOF OF SERVICE	25211
TATE OF OREGON	County of KLAMATH) as	
id a resident of the state wherein the servi	ice hereinalter set forth was made; that I am not the be ereto, nor the successor of either, nor an officer, director	neliciary or trustee named in the
I made service of the attached original	I Trustee's Notice of Sale upon the individuals and other ce of Sale certified to be such by the attorney for the trust Personal Service Upon Individual(s)	
Upon TROY BLACKWELL BONANZA RANCH, BONAN	by delivering such true copy to h	im/her, personally and in person, 1992 at 9:50 o'clock P M.
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	personally and in person, to said district attorney, OR	(b) leaving such true copy with
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	M bale	Storce Jour
	this 31 day of 1) v 1 v 1/ 19 92	GEORGE DOUMAR
Subscribed and sworn to before me		
Subscribed and sworn to before me	Notary Public for Oregon My commission expires	My Commission F 4-3-

PROOF OF SERVICE OREGON KLAMATH E OF OREGON, County of KLAMATH) as. I hereby certily and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older STATE OF and a resident of the state wherein the service hereinalter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or trustee, or successor of either, corporate or otherwise. I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, as follows; Personal Service Upon Individual(s) GERRI FEARRIEN Upon <u>GERRI FEARRIEN</u>, by delivering such true copy to him/her, personally and in person, BONANZA RANCH, BONANZA, OR, on JULY 28, 1992, 29:55 o'clock P.M. Upon by delivering such true copy to him/her, personally and in person. Substituted Service Upon Individualis) , who is a person over the to _____ Upon _____ by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: who is a person over the Office Service Upon Individual(s) Upon _____, at the office which he/she maintains for the conduct of business at by leaving such true copy with the person who Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name Upon (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.) thereof; OR, the person who is apparently in charge of the (b) leaving such true copy with office of * Specify registered agent, officer (by title), director, general partner, managing agent. лť _____ Service Upon State of Oregon Upon the State of Oregon by leaving such true copy with a deputy/ Service Upon Public Bodies Upon, Ъу (a) serving such true copy, personally and in person on who is the *_____, thereof, OR who is althe *..... thereof; office of Specify director, managing agent, clerk, secretary FURTHER, it such public body is a county, I served an additional true copy of the Notice of Sale upon..... , who is the district attorney for the county, by (a) delivering such true copy, personally and in person, to said district attorney, OR (b) leaving such true copy with , the person who is apparently in charge of the district attorney's office, EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON. FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH. Service cannot be made upon, alter reasonable ellorts to do so have been made; I attempted to make service by 1 1 A

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Subscribed and sworn to belore me this.	day of) U 1 4 / 19 9.2.	Awre Common
(SEAL)	Notary Public for Oregon My commission expiress	GEORGE DOUMAR
Civil Procedure 7 D. 12) and 7 D. (3). The Proof of Servi	ice of Sale be served in the manner in which a summons ce aboye contains most, but not all, of the methods of se person. See ORCP 7 D. (2) and 7 D. (3) for complete ser	CALCE TOL BROWDIE, INIC. COCOLOGIOS TON

			PROOF OF				25213
ATE OF I hereby	y certify and swear the	nt at all times	herein mentione	d I was and now	v am a compet	ent person 18 years	ol age or older
inal trustee eliciary or i	ol the state wherein the s's Notice of Sale attac trustee, or successor of service of the attached	hed hereto, n either, corport	or the successor ate or otherwise.	of either, nor an	a officer, direct	or, employee of or	attorney for the
ow, by deliv	vering true copies of sai	d Notice of Sa	le certified to be Personal Service U	such by the attor pon Individual(s)	rney for the tru	stee or successor tru	istee, as follows:
	KLAMATH RANC	H, FT l	KLAMATH,	OR, on 1	JULY28		5o'clock PM.
FORT K	MRS. TONY C KLAMATH RANCH	, FT KI	AMATH, O	R, on s Upon Individual(s)	JULY 28	, 1992, at 8:0	5 o'clock P.M.
•	ol abode, to-wit:						
Upon	s and a member of the			, by d	elivering such	true copy at his/he	dwelling house
usual place	of abode, to-wit:				······	, who is a	person over the
of 14 years	s and a member of the	household of t	he person served	on		, 19, at	o'clockM.
				, at ti			
leaving suc	ch true copy with						the person who
	in charge, on Service on Corporations	, Limited Partner	ships or Unincorpo	rated Associations S	iubject to Suit Un	der a Common Name	
	NAME OF CORPORATION, LI	NTED BADTNEDCL	IP FTC \				
	delivering such true co		thereof; OR				
	leaving such true copy office of						

	 Specify registered agen 	, officer (by ti	ile), director, gene	ral partner, managi	ing agent.		o'clock M
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