

12-27-93A 11:09 RCVD

73391

ASPEN 04040121/F

Vol. 93 Page 34670

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Klamath

I, Andrew A. Patterson, ss:

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

ADDRESS

Phillip Crammer and
Charlotte Crammer

Route 1, Box 259
Bonanza, Oregon 97623

C.W. and Nancy H. Booth
DBA HJB Associates

143 S Keeneway Drive
Medford, Oregon 97504

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 Andrew A. Patterson

~~Each of the notices~~ 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 July 8, 1993. 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.

Andrew A. Patterson
ANDREW A. PATTERSON

Subscribed and sworn to before me on July 14, 1993

Carol Johnson
Notary Public for Oregon. My commission expires 1-15-94

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

TO

Trustee

AFTER RECORDING RETURN TO

ASPEN TITLE & ESCROW, INC
ATTN: FORECLOSURE DEPARTMENT

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

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/roll/volume No. _____ on page _____ or as fee/title/instrument/microfilm/reception No. _____ Record of Mortgages of said County. Witness my hand and seal of County affixed.

NAME

TITLE

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 affidavit.

Reference is made to that certain trust deed made husband and wife Aspen Title & Escrow, INC infavor of Robert Kenneth Mariette * dated March 27, 1985, recorded Apr 1, 1985, County, Oregon, in book 47324 as fee/property situated in said county and state, to-wit: Lots 2 forest Estates, Highway 66 Unit, Plat No. 4

* and subsequently assigned to Jacklyn Sue C William Howard and Patsy Howard, husband and Book M85 Page 9703 in the records of Klamath Both the beneficiary and the trustee have elected to a by said trust deed and a notice of default has been recorded fault for which the foreclosure is made is grantor's failure to of principal and interest due on the 1st day of 1993 in the amount of not less than \$375.00 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: \$38,000.00 plus interest and late charges thereon from January 1, 1993 at the rate of Ten Percent (10%) per annum until paid and all sums 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 January 4, 1994, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Front entry to Aspen Title & Escrow, INC at 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 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 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 June 30, 1993

ASPEN TITLE & ESCROW, INC

BY: [Signature] Trustee

State of Oregon, County of Klamath

I, the undersigned, certify that I am the assistant secretary/successor of the foregoing is a complete and exact copy of the original trustee's notice of sale.

ASSISTANT SECRETARY SUCCESSOR [Signature] Trustee

STATE OF OREGON: COUNTY OF KLAMATH

Filed for record at request of Aspen Title Co

of Dec 11, 1993 at 11:09 o'clock A.M., and duly recorded in Vol. M93 day 27th on Page 34670

FEE \$15.00

Evelyn Biehn County Clerk By [Signature]

ASPEN 04040121/F
TRUSTEE'S NOTICE OF SALE

34671

Reference is made to that certain trust deed made by husband and wife
Aspen Title & Escrow, INC, as grantor, to
in favor of Robert Kenneth Mariette *, as trustee,
dated March 27, 1985, recorded April 1, 1985, in the mortgage records of
Klamath County, Oregon, in book 47324 No. M85, at page 4687, or
as fee/ 47324 No. 47324 (indicate which), covering the following described real
property situated in said county and state, to-wit: Lots 20, 21, 22, and 23, Block 103, Klamath Falls
Forest Estates, Highway 66 Unit, Plat No. 4, State of Oregon.

* and subsequently assigned to Jacklyn Sue Chandler as to an undivided $\frac{1}{2}$ interest and
William Howard and Patsy Howard, husband and wife as to an undivided $\frac{1}{2}$ interest in
Book M85 Page 9703 in the records of Klamath County Clerks Office.
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 de-
fault for which the foreclosure is made is grantor's failure to pay when due the following sums: Monthly installments
of principal and interest due on the 1st day of January, February, March, April and May
of 1993 in the amount of not less than \$375.00 per month 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: \$38,000.00 plus interest and late
charges thereon from January 1, 1993 at the rate of Ten Percent (10%) per annum until
paid and all sums 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 January 4, 1994,
at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at
Front entry to Aspen Title & Escrow, INC at 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 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 per-
formance 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 June 30, 1993

ASPEN TITLE & ESCROW, INC

BY: Chadwick A. Biehn
Trustee

State of Oregon, County of KLAMATH
I, the undersigned, certify that I am the assistant secretary of the trustee and that
the foregoing is a complete and exact copy of the original trustee's notice of sale.

ASSISTANT SECRETARY
SUCCESSOR

STATE OF OREGON: COUNTY OF KLAMATH: ss-

Filed for record at request of Aspen Title Co
of Dec A.D., 19 93 at 11:09 o'clock A M., and duly recorded in Vol. M93 day
of Mortgages on Page 34670

FEE \$15.00

Evelyn Biehn County Clerk
By Evelyn Biehn