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02-14-94P03:48 RCVD K-45702

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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

I, KEITH W. THOMPSON, 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

Malcolm A.R. Berens

ADDRESS

24382 High Pass Road
Junction City, OR 97448

Edward N. Bernabe

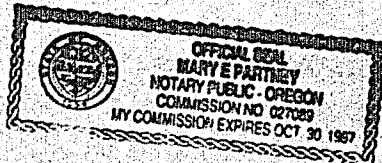
24382 High Pass Road
Junction City, OR 97448

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
KEITH W. THOMPSON

copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Junction City, Oregon, on September 28, 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.



Subscribed and sworn to before me on September 30, 1993.

Mary E. Partney

Notary Public for Oregon. My commission expires 10-30-97.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Malcolm A.R. Berens and

Edward N. Bernabe

Grantor

TO

Keith W. Thompson

Successor

Trustee

AFTER RECORDING RETURN TO
Keith W. Thompson
Attorney at Law
P.O. Box 56
Junction City, OR 97448

(DON'T USE THIS SPACE, RESERVED FOR RECORDING LABEL IN COUNTER 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/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

By _____

TITLE

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.

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02-14-94P03:48 RCVD

TRUSTEE'S NOTICE OF SALE

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Reference is made to that certain trust deed made by MALCOLM A.R. BERENS and EDWARD N. BERNABE, as grantor, to OREGON TITLE INSURANCE COMPANY, as trustee, in favor of FRED & SHIRLEY SEEL, as beneficiary, dated September 12, 1991, recorded October 2, 1992, in the mortgage records of Klamath County, Oregon, in ~~book~~ volume No. M91 at page 20005, or as ~~last~~ instrument of ~~recordation~~ ~~in said county and state~~ covering the following described real property situated in said county and state, to-wit:

"Lot 28, Block 4, Klamath Falls Forest Estates Highway 66 Unit, Plat #1, 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:

1. \$10,000.00 plus 15% interest due from 9-12-91 to the present.
2. Taxes for years 1990-1991, 1991-1992 and 1992-1993 for a total of \$283.32 plus interest.

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:

1. \$10,000.00 plus 15% interest due from 9-12-91 to the present.
2. Taxes due since 1990-1991 to the present totaling \$283.32 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on February 23, 1994 at the hour of 11:00 o'clock, A. M., in accord with the standard of time established by ORS 187.110, at 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 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 September 24, 1993

Successor Trustee

State of Oregon, County of _____ ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co the 14th day of Feb. A.D., 1994 at 3:48 o'clock P. M., and duly recorded in Vol. M94

of Mortgages on Page 4916

Evelyn Biehn County Clerk

By Deborah Miller

FEF \$15.00