

Return to:
Brandsness, Brandsness &
Rudd, P.C.
411 Pine Street
Klamath Falls, Oregon 97601

Clerk's Stamp:

**AFFIDAVIT OF MAILING AMENDED NOTICE OF SALE TO GRANTOR,
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE**

STATE OF OREGON)
) ss:
County of Klamath)

I, Andrew C. Brandsness, being first duly sworn, depose, 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 amended 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 amended notice of sale by mailing a copy thereof by registered or certified mail and regular mail to each of the following named persons at their respective last known addresses, to-wit:

NAME

Charles W. Cossey 27505 Rocky Point Road
 Klamath Falls, OR 97601

Said persons include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any person requesting notice as provided in ORS 86.785.

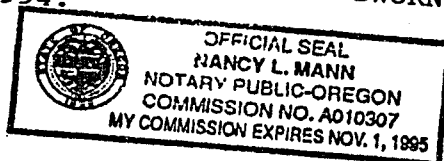
Each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on January 29, 1994. Each of said notices was mailed after the amended notice of default and election to sell described in said notice of sale was

16689

recorded and at least 120 days before the day fixed in said notice
by the trustee for the trustee's sale.

[Signature]

SUBSCRIBED AND SWORN to before me this 25 day of May,
1994.



Nancy L. Mann
Notary Public for Oregon
My Commission expires: 11-1-95

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/volume No. _____ on page _____ or as
instrument No. _____, Record of Mortgages of said
County.

Witness my hand and seal of County affixed.

Name _____ Title _____
By _____
Deputy _____

Return to:
 Michael P. Rudd
 Brandsness & Brandsness
 411 Pine Street
 Klamath Falls, Oregon 97601

Clerk's Stamp:

AMENDED TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND OF SALE

This notice of sale is given pursuant to ORS 86.735.

- (1) **PARTIES:** GRANTOR: Charles W. Cossey and Ann Von Der Ahe ORIGINAL TRUSTEE: Mountain Title Company, Inc. ORIGINAL BENEFICIARY: William J. Cadman and Lo Etta A. Cadman
- (2) **DESCRIPTION OF PROPERTY COVERED BY THE TRUST DEED:**
 See attached "Exhibit A"
- (3) **RECORDING:** The Trust Deed was recorded on July 13, 1987, in the Mortgage Records of Klamath County, Oregon in Volume M87, Page 12279.
- (4) **DEFAULT FOR WHICH FORECLOSURE IS MADE:** Both the Beneficiary and the Trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and to foreclose said Deed by advertisement and sale. The default for which the foreclosure is made is Grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent: Failure to pay monthly payments of \$1,099.88 for the months of August, September and October 1993, and a like payment on the first day of each month thereafter, and failure to pay insurance premiums incurred in the sum of \$162.00 on October 5, 1993, plus interest thereon, and payments to the Oregon Department of Veterans Affairs.
- (5) **SUM OWING ON OBLIGATION SECURED BY TRUST DEED:** By reason of said default the Beneficiary has declared the entire unpaid balance of all obligations secured by said Trust Deed together with the interest thereon immediately due, owing and payable, said sums being the following, to-wit: principal in the sum of \$78,055.81 plus interest at 10% per annum from July 11, 1993 until paid, plus the sum of \$162.00 advanced for insurance plus interest thereon at 10% from October 5, 1993 and the sum of \$1,440.00 as of January 11, 1994 and all further payments to the Oregon Department of Veteran's Affairs, plus other expenses advanced by the beneficiary, plus all sums due for taxes, insurance, trustees fees, attorneys fees, and all other sums recoverable by the beneficiary under the note and Trust Deed.
- (6) **ELECTION TO SELL:** Take notice that Beneficiary and Trustee have elected to sell the property to satisfy the obligations secured by the Trust Deed and to satisfy the expenses of the sale, including the compensations of the Trustee as provided by law and reasonable attorney's fees, pursuant to ORS 86.705 to 86.795.
- (7) **SALE:** The sale shall be held on May 31, 1994, at the hour of 10:15 a.m., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Law Offices, Brandsness, Brandsness & Rudd, P.C., 411 Pine Street, Klamath Falls, Oregon.
- (8) **RIGHT TO DISMISSAL AND REINSTATEMENT:** Take notice that any person named in ORS 86.753 has the right, at any time prior to five (5) 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, or the Beneficiary's successor in interest, 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 of the Trust Deed that is capable of being cured, by tendering the performance required under the obligation or Trust Deed, and in addition to paying the 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 the trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

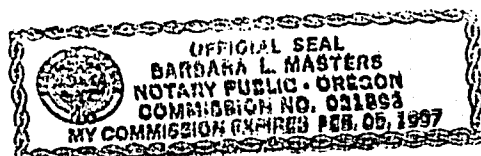
In construing this notice and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantor" includes any successor in interest to the Grantor as well as any other person owing an obligation, the performance of which is secured by said Trust Deed, and the successors in interest, the word "Trustee" includes any Successor Trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed.

Dated: January 24, 1994.

By: 

Andrew C. Brandsness
Trustee
411 Pine Street
Klamath Falls, Oregon 97601
(503) 356-2108

SUBSCRIBED AND SWORN TO before me this 24 day of
January, 1994.



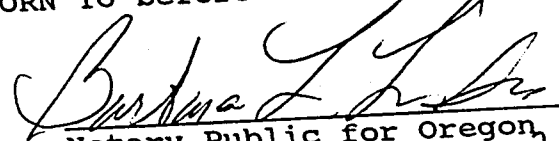

Notary Public for Oregon
My Commission Expires: 2-5-97

EXHIBIT "A"
LEGAL DESCRIPTION

Beginning at a point on the Westerly shore of Recreation Creek, said point being the Southeasterly corner of that parcel heretofore conveyed to N. E. Salleck and recorded in Volume 150, page 289, Deed Records of Klamath County, Oregon, and said point being more particularly described as being situated from the Northwest corner of Section 2, Township 36 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon, South 24 degrees 03 1/2' West 581.5 feet and thence South 65 degrees 56 1/2' East 784.6 feet; thence from the point of beginning herein described North 65 degrees 56 1/2' West 182.1 feet to a point on the Easterly side of the Rocky Point Road (State Secondary Highway No. 421); thence along the Easterly side of said Rocky Point Road South 36 degrees 16' West 171.6 feet to a point; thence continuing along the Easterly side of Rocky Point Road South 34 degrees 20 1/2' West 130.6 feet to a point; thence continuing along the Easterly side of Rocky Point Road South 36 degrees 44 1/2' West 114.1 feet to a point; thence South 73 degrees 12 1/2' East 251.2 feet to a point on the Westerly shore of Recreation Creek; thence along the Westerly or right shore of Recreation Creek North 26 degrees 38' East 375.5 feet, more or less, to the point of beginning, being situate in Lot 4 of Section 2, Township 36 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon

EXCEPTING THEREFROM THE FOLLOWING:

Beginning at a point on the Westerly shore of Recreation Creek, said point being the Southeasterly corner of that parcel heretofore conveyed to N. E. Salleck and recorded in Volume 150, page 289, Deed Records of Klamath County, Oregon, and said point being more particularly described as being situated from the Northwest corner of Section 2, Township 36 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon, South 24 degrees 03 1/2' West 581.5 feet; and thence South 65 degrees 56 1/2' East 784.6 feet; thence from the point of beginning herein described North 65 degrees 56 1/2' West 182.1 feet to a point on the Easterly side of the Rocky Point Road (State Secondary Highway No. 421); thence along the Easterly side of said Rocky Point Road South 36 degrees 16 1/2' West 90 feet to a point; thence South 65 degrees 56 1/2' East an estimated 204 feet, more or less to a point on the Westerly shore of Recreation Creek; thence along the Westerly or right shore of said Recreation Creek North 26 degrees 38 1/2' East 90 feet, more or less to the point of beginning, situated in Lot 4 of Section 2, Township 36 South, Range 6, East of the Willamette Meridian, Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of Brandsness & Brandsness
of May A.D., 19 94 at 3:57 o'clock P M., and duly recorded in Vol. M94
of Mortgages on Page 16688

FEE \$30.00

Evelyn Biehn
By Pauline Mullendore County Clerk