

83427

## AFTER RECORDING RETURN TO:

Oregon Title Insurance Co.  
Trustee's Sale Foreclosure Dept.  
1515 SW 5th Ave. Suite 840  
Portland, OR 97201

06-28-94A11:28 RCVD

Vol. 94 Page 20043

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE  
ATC 04041079

STATE OF OREGON

County of Multnomah

ss.

I, the undersigned, being sworn, say:

I am an employee of the Successor Trustee ("Trustee") in the Trust Deed described in the attached Trustee's Notice of Sale.

At all times mentioned, I was and now am a resident of the State of Oregon, a competent person over the age of eighteen (18) years and not the Beneficiary, or the Beneficiary's successor in interest, named in the Notice of Sale given under the terms of the Trust Deed described in the Notice.

I gave notice of the sale of the real property described in the Notice of Sale by mailing a copy of the Notice by both First Class and Certified Mail, Return Receipt Requested, to the following named Person or Persons (or legal representatives, where so indicated) at the last known address, to-wit:

Name

Address

Le Ly

19679 Sun Circle  
West Linn, OR 97068

The person(s) include(s) (a) Grantor(s) in the Trust Deed, (b) each successor in interest to Grantor(s) whose interest(s) appear(s) of record or of whose interest(s) the Trustee or the Beneficiary has actual notice, (c) each 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) each person requesting notice under ORS 86.740(1)(d) and ORS 86.785.

Each Notice mailed was certified to be a true copy of the original Trustee's Notice of sale by a duly authorized person on behalf of Oregon Title Insurance Company, Successor Trustee. Each such copy was contained in a sealed envelope, with postage fully prepaid, and was deposited by me in the United States post office at Portland, Oregon, on February 24, 1994. 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 the Notices was mailed after the Notice of Default and Election to Sell described in the Trustee's Notice of Sale was recorded.

AFFIDAVIT OF MAILING  
TRUSTEE'S NOTICE OF SALE PAGE 1

OTIC ORDER NUMBER A-700230



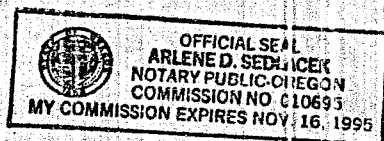
DATED this 19th day of January, 1994

20044

Oregon Title Insurance Company, Successor Trustee

By Barbara E. Pearce

SUBSCRIBED AND SWORN to before me this 19th day of January, 1994



Arlene D. Sedwick  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

AFFIDAVIT OF MAILING  
TRUSTEE'S NOTICE OF SALE PAGE 2

OTIC ORDER NUMBER A-700239



**AFTER RECORDING RETURN TO:**

Oregon Title Insurance Co.  
Trustee's Sale Foreclosure Dept.  
1515 SW 5th Ave. Suite 840  
Portland, OR 97201

20045

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

STATE OF OREGON )

County of Multnomah )

I, the undersigned, being sworn, say:

I am an employee of the Successor Trustee ("Trustee") in the Trust Deed described in the attached Trustee's Notice of Sale.

At all times mentioned, I was and now am a resident of the State of Oregon, a competent person over the age of eighteen (18) years and not the Beneficiary, or the Beneficiary's successor in interest, named in the Notice of Sale given under the terms of the Trust Deed described in the Notice.

I gave notice of the sale of the real property described in the Notice of Sale by mailing a copy of the Notice by both First Class and Certified Mail, Return Receipt Requested, to the following named Person or Persons (or legal representatives, where so indicated) at the last known address, to-wit:

Name

Address

Le Ly

19679 Sun Circle  
West Linn, OR 97068

The person(s) include(s) (a) Grantor(s) in the Trust Deed, (b) each successor in interest to Grantor(s) whose interest(s) appear(s) of record or of whose interest(s) the Trustee or the Beneficiary has actual notice, (c) each 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) each person requesting notice under ORS 86.740(1)(d) and ORS 86.785.

Each Notice mailed was certified to be a true copy of the original Trustee's Notice of sale by a duly authorized person on behalf of Oregon Title Insurance Company, Successor Trustee. Each such copy was contained in a sealed envelope, with postage fully prepaid, and was deposited by me in the United States post office at Portland, Oregon, on January 19, 1994. 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 the Notices was mailed after the Notice of Default and Election to Sell described in the Trustee's Notice of Sale was recorded.

**AFFIDAVIT OF MAILING  
TRUSTEE'S NOTICE OF SALE PAGE 1**

**OTIC ORDER NUMBER A:700239**



DATED this 24th day of February, 1994

20046

Oregon Title Insurance Company, Successor Trustee

by Barbara E. Pearce

SUBSCRIBED AND SWORN to before me this 24<sup>th</sup> day of February, 1994



OFFICIAL SEAL  
ARLENE D. SEDLACEK  
NOTARY PUBLIC-OREGON  
COMMISSION NO. 010695  
MY COMMISSION EXPIRES NOV. 16, 1995

Arlene D. Sedlacek  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

AFFIDAVIT OF MAILING  
TRUSTEE'S NOTICE OF SALE PAGE 2

OTIC ORDER NUMBER A-700239



**AFTER RECORDING RETURN TO**

Oregon Title Insurance Co.  
Trustee's Sale Foreclosure Dept.  
1515 SW 5th Ave Suite 840  
Portland, OR 97201

20047

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

STATE OF OREGON )

County of Multnomah ) ss.

I, the undersigned, being sworn, say:

I am an employee of the Successor Trustee ("Trustee") in the Trust Deed described in the attached Trustee's Notice of Sale.

At all times mentioned, I was and now am a resident of the State of Oregon, a competent person over the age of eighteen (18) years and not the Beneficiary, or the Beneficiary's successor in interest, named in the Notice of Sale given under the terms of the Trust Deed described in the Notice.

I gave notice of the sale of the real property described in the Notice of Sale by mailing a copy of the Notice by both First Class and Certified Mail, Return Receipt Requested, to the following named Person or Persons (or legal representatives, where so indicated), at the last known address, to-wit:

Name

Address

Le Ly

3129 S.E. 22nd  
Portland, OR 97202

The person(s) include(s) (a) Grantor(s) in the Trust Deed, (b) each successor in interest to Grantor(s) whose interest(s) appear(s) of record or of whose interest(s) the Trustee or the Beneficiary has actual notice, (c) each 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) each person requesting notice under ORS 86.740(1)(d) and ORS 86.785.

Each Notice mailed was certified to be a true copy of the original Trustee's Notice of sale by a duly authorized person on behalf of Oregon Title Insurance Company, Successor Trustee. Each such copy was contained in a sealed envelope, with postage fully prepaid, and was deposited by me in the United States post office at Portland, Oregon, on March 17, 1994. 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 the Notices was mailed after the Notice of Default and Election to Sell described in the Trustee's Notice of Sale was recorded.

**AFFIDAVIT OF MAILING  
TRUSTEE'S NOTICE OF SALE PAGE 1**

**OTIC ORDER NUMBER A700239**



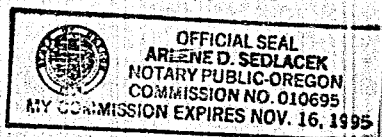
DATED this 17 day of March 1994

20048

Oregon Title Insurance Company, Successor Trustee

By Barbara Pearce

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of March, 1994



Arlene D. Sedlacek  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

AFFIDAVIT OF MAILING  
TRUSTEE'S NOTICE OF SALE PAGE 2

OTIC ORDER NUMBER A:700239



STATE OF OREGON

COUNTY OF MULTNOMAH

20049

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter 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:

PERSON SERVICE UPON INDIVIDUAL(S)

Upon LE LY by delivering such true copy to him/her, personally and in person, at 1120 SW 5th Ave., Portland March 23, 19 94 at 2:55 o'clock P.m.

Upon \_\_\_\_\_, on \_\_\_\_\_, by delivering such true copy to him/her, personally and in person, at \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_m.

SUBSTITUTED SERVICE UPON INDIVIDUAL(S)

Upon \_\_\_\_\_, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: \_\_\_\_\_, to \_\_\_\_\_, who is a person over the age of 14 years and a member of the household of the person served on \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_m.

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 is apparently in charge, on \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_m., during normal working hours, to-wit, at: \_\_\_\_\_ o'clock \_\_\_\_\_m.

SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS  
SUBJECT TO SUIT UNDER A COMMON NAME

Upon \_\_\_\_\_, by \_\_\_\_\_ (Name of Corporation, Limited Partnership, etc.)

(a) delivering such true copy, personally and in person, to \_\_\_\_\_, who is /the \_\_\_\_\_ thereof; OR

(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the office of \_\_\_\_\_, who is a/the \_\_\_\_\_ thereof;

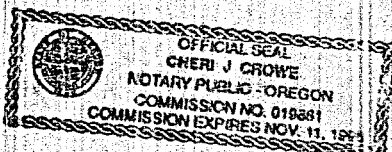
(\* Specify registered agent, officer (by title), director, general partner, managing agent)

at \_\_\_\_\_, on \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_m.

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.

Subscribed and sworn to before me this 24th day of March, 19 94

By: Mike Kennedy  
134953



Cheri J. Crowe  
Notary Public for OREGON

My commission expires: 11/11/96



NON-OCCUPANCY AFFIDAVIT

STATE OF OREGON )  
 ) ss.  
 COUNTY OF KLAMATH )

I, Sherry A. Miller, being first duly sworn, depose, say and certify that:

This affidavit is made in connection with a foreclosure by advertisement and sale under that certain trust deed made by Le L., grantor, to Ticor Title Insurance Company, trustee, in favor of The Nature Conservancy, a District of Columbia non-profit Corporation, beneficiary, dated August 5, 1993 and recorded August 6, 1993, in the Mortgage Records of Klamath County, Oregon, Vol. M93 Page 19537, covering the following described real property situated in said county:

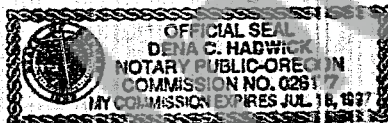
Lots 46,47,48,49,50 & 51B, Lakeshore Gardens, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

I hereby certify that I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon, and that on Jan 19, 1994, after personal inspection the above described real property was found to be unoccupied.

The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above

By Sherry Miller

SUBSCRIBED AND SWORN to before me this 28 day of February, 1994.



Dena C. Hadwick  
 NOTARY PUBLIC FOR OREGON

My Commission Expires: 7-18-97

AFTER RECORDING RETURN TO:

Oregon Title Insurance Co.  
 Trustee's Sale Foreclosure Dept.  
 1515 SW 5th Ave. Suite 840  
 Portland, OR 97201



**TRUSTEE'S NOTICE OF SALE**

This notice of sale is given pursuant to ORS 86.735:

- 1) **PARTIES:**

GRANTOR:	Le Ly
ORIGINAL TRUSTEE:	Ticor Title Insurance Company
ORIGINAL BENEFICIARY:	The Nature Conservancy, a District of Columbia non-profit Corporation
- 2) **DESCRIPTION OF PROPERTY COVERED BY THE TRUST DEED:**

Lots 46,47,48,49,50 & 51B, Lakeshore Gardens, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon
- 3) **RECORDING:** The Trust Deed was recorded on August 6, 1993, Vol. M93 Page 19537, Official Mortgage records in the clerk's office of Klamath County, Oregon.
- 4) **DEFAULT FOR WHICH FORECLOSURE IS MADE:** Grantor is in default and Beneficiary seeks to foreclose the Trust Deed for failure to pay 3 monthly payments of \$212.31 each as of November 6, 1993 and failure to pay each monthly payment due afterwards, plus failure to pay real property taxes when due.
- 5) **SUM OWING ON OBLIGATION SECURED BY TRUST DEED:** Beneficiary has declared all amounts owing on the obligation secured by the Trust Deed immediately due and payable. The sum owing on the obligation secured by the Trust Deed is \$22,000.00, as of November 6, 1993, plus, from that date until paid, accrued and accruing interest at the rate of 10 percent per year, plus any late charges, foreclosure costs, trustee fees, attorney fees, sums required for protection of the property and additional sums secured by the 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 86.785.
- 7) **SALE:** The sale shall be held:
 

On the Date:	May 19, 1994
At the Time:	9:30 a.m. in accordance with the standard of time established by ORS 187.110.
At the Place:	Front entrance of Klamath County Courthouse
- 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 trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.



20052

DATED this 6 day of January 1994

Oregon Title Insurance Company, Successor Trustee

by C. Cleveland Abbe

C. Cleveland Abbe,  
Senior Vice President

STATE OF OREGON

County of Multnomah

)  
) ss.  
)

I certify that I am an employee of Oregon Title Insurance Company, Successor Trustee and that this is a complete and exact copy of the original Trustee's Notice of Sale.

For Oregon Title Insurance Company

TRUSTEE'S NOTICE OF SALE PAGE 2

OTIC ORDER NUMBER A:700239



# Affidavit of Publication

20053

## 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 #6410

NOTICE OF TRUSTEE'S SALE

SALE NO. 700239

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 24, 31, 1994

JUNE 7, 14, 1994

Total Cost: \$437.76

*Sarah E. Parsons*

Subscribed and sworn to before me this 14th

day of JUNE

19 94

*Debra A. Moore*

Notary Public for Oregon

My commission expires



OFFICIAL SEAL  
DEBRA A. MOORE  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 013891  
MY COMMISSION EXPIRES MAR 15, 1996

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title co  
of June A.D., 19 94 at 11:28 o'clock

of Mortgages on Page 28th day  
and duly recorded in Vol. M94

FEE \$60.00

Evelyn Biehn  
By *Debra A. Moore* County Clerk

**TRUSTEE'S NOTICE OF SALE**  
This notice is given pursuant to ORS 86.753.

**1) PARTIES:** (1) ANTONIO, LARRY, ORIGINAL TRUSTEE; (2) THE INSURANCE COMPANY OF THE NATURAL EFFICIENCY, THE NATURAL EFFICIENCY, A DISTRICT OF COLUMBIA, NON-PROFIT CORPORATION; (3) DESCRIPTION OF PROPERTY: 46.47, 48.48, 50 & 51B, Lakeshore Gardens, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

**2) RECORDING:** The Trust Deed was recorded on August 4, 1993, Vol. M93, page 110.

**3) OFFICIAL NOTICE:** Records in the office of Klamath County, Oregon, show a default on which FORECLOSURE IS MADE. Grantor is in default and beneficiary seeks to foreclose. The Trust Deed for failure to pay monthly payments of \$2.31 each, as of November 6, 1993 and failure to pay each month payment due thereafter, plus failure to pay real property taxes when due.

**4) SUM OWING ON OBLIGATION SECURED BY TRUST DEED:** Beneficiary has demanded all amount owing on the obligation secured by the Trust Deed immediately due and payable. The sum due on the obligation secured by the Trust Deed is \$22,000.00 as of November 6, 1993, plus from that date until paid, accrued and increased interest at the rate of 10 percent per year, plus any late charges, foreclosures costs, trustee fees, attorney fees, sums required for protection of the property and all other sums.

**5) 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 compensation of the trustee as provided by law and reasonable attorney's fees, pursuant to ORS 86.705 to 86.753.

**6) SALE:** The sale shall be held: On the 20th day of May, 1994, at the time 9:00 a.m., in accordance with the standard of time established by ORS 187.111.

**7) PLACE:** Front entrance of Klamath County Court House, Klamath Falls, Oregon.

**8) RIGHT TO DISMISS:** The sale has been postponed to Wednesday, July 27, 1994, at the Office of Aspen Title and Escrow, Inc., 225 Main St., Klamath Falls, OR.

**9) STATEMENT:** 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 a breach of said Trust Deed, and in addition to paying the sums of tendering the performance needed to cure the default, to secure all costs and expenses actually incurred in enforcement of the obligation and Trust Deed, together with trustee's and attorney's fees, not exceeding the amounts provided by ORS 86.753.

**DATED this 8 day of January 1994**  
Oregon Title Insurance Company,  
Successor Trustee,  
C. Cleveland Abbe,  
Senior Vice President,  
76-10 May 24, 31, 1994,  
June 7, 14, 1994.