

84447

ASPEN 04040505/F

Vol. 1794 Page 22020

STATE OF OREGON, County of Klamath

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

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
Brian H. Littleton &
Dorothy J. Littleton
Internal Revenue Service
Special Assets Department
High Tech Diesel, Inc
Klamath County Tax Collector

ADDRESS
2252 Vine Street
Klamath Falls, Oregon 97601
P.O. Box 3550
Portland, Oregon 97208
600 Walnut Street
Klamath Falls, Oregon 97601
305 Main Street
Klamath Falls, Oregon 97601

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
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 October 18, 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/ASSISTANT SECRETARY
Subscribed and sworn to before me on October 6, 1993
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: FORCLOSURE 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 1993 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.

By NAME 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.

ASPEN 04040505/F
TRUSTEE'S NOTICE OF SALE

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Reference is made to that certain trust deed made by Brian H. Littleton and Dorothy J. Littleton,
husband and wife
Aspen Title & Escrow, INC
in favor of Robert C. Brown and Karen V. Brown, husband and wife, as grantor, to
dated September 19, 19 90, recorded October 1, 19 90, as trustee,
Klamath County, Oregon, in book/entry No. M90, at page 19863 & 19866, or
as beneficiary, in book/entry No. 20917 & 20918 (Indicate which), covering the following described real
property situated in said county and state, to-wit:

See legal description marked Exhibit "A" attached hereto and by this reference
made a part hereof as though fully set forth herein.....

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:

See attached Exhibit "B" and by this reference made a part hereof as though
fully set forth herein.....

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 attached Exhibit "C" and by this reference made a part hereof as though
fully set forth herein.....

WHEREFORE, notice hereby is given that the undersigned trustee will on March 14, 19 94,
at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at
Front entry of Aspen Title & Escrow, Inc
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 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 October 18, 19 93

ASPEN TITLE & ESCROW, INC

BY [Signature]
Successor

Trustee

State of Oregon, County of Klamath

I, the undersigned, certify that I am the Successor of the Trustee and that
the foregoing is a complete and exact copy of the original trustee's notice of sale.

Successor

[Signature] Trustee

SERVE:

If the foregoing is a copy to be served pursuant to
ORS 86.740 or ORS 86.750(1), fill in opposite
the name and address of party to be served.

EXHIBIT "A"

A parcel of land situate in the N 1/2 SW 1/4 NW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point marked by an iron pin driven in the ground in the center line of a 60 foot roadway, from which the section corner common to section 2, 3, 10 and 11, Township 39 South, Range 9 East of the Willamette Meridian, bears South 89 degrees 44 1/2' West along the center line of said roadway, 879.4 feet to a point in the West boundary of said Section 11, and North 0 degrees 13 1/2' West along the section line 1662.5 feet; thence running North 89 degrees 44 1/2' East along the center line of above mentioned roadway, a distance of 135.0 feet; thence North 0 degrees 7' West, 331.75 feet, more or less, to a point on the Northerly boundary of said N 1/2 SW 1/4 NW 1/4 of said Section 11; thence South 89 degrees 47' West along said boundary line 135.0 feet; thence South 0 degrees 07' East, 331.85 feet, more or less, to the point of beginning,

CODE 41 MAP 3909-11BC TL 600

EXHIBIT "B"

Balance of monthly installments of \$483.05 due for the months of December of 1990 and monthly installments of \$483.05 to present and subsequent installments of like amounts; and subsequent amounts for assessments and taxes due under the terms and provisions of the Note and Trust Deed recorded on October 19, 1990 in Volume M90 Page 19863 also a second Note and Trust Deed dated September 19, 1990 recorded on October 1, 1990 in Volume M90 Page 19866 in the amount of \$9,000.00 at the rate of eleven (11.0) percent per annum due and payable on March 28, 1991 and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

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EXHIBIT "C"

Note and Trust Deed dated September 19, 1990 and recorded on October 1, 1990 in the amount of \$42,500.00 plus interest and late charges thereon from December 28, 1990 at the rate of eleven (11.0) percent per annum until paid and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed. Also a second Note and Trust Deed dated September 19, 1990 and recorded on October 1, 1990 in the amount of \$9,000.00 plus interest at the rate of eleven (11.0) percent per annum all due and payable on March 28, 1991 and all sums expended by the Beneficiary pursuant to the terms and provisions of said Note and Trust Deed.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow
of July A.D., 19 94 at 3:32 o'clock P.M. and duly recorded in Vol. 18th day
of July on Page 22020 M94
of Mortgages

FEE \$30.00

Evelyn Biehn
By Annette Mueller County Clerk