

AFTER RECORDING RETURN TO:  
Shapiro & Kreisman  
522 S.W. Fifth Avenue, #825  
Portland, OR 97204  
94-11409

K-46542  
OREGON

### AFFIDAVIT OF MAILING OF NOTICE OF SALE

I, Kelly D. Sutherland, say and certify that:

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 the successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail and first class mail to each of the following named persons at their last known addresses, to-wit:

Duel E. Chinn  
2733 Crest St.  
Klamath Falls, OR 97603

Miriam Chinn  
2733 Crest St.  
Klamath Falls, OR 97603

Dorrance L. Hoots  
Attorney at Law  
1707 Kimberly Dr.  
Klamath Falls, OR 97603

Neal G. Buchanan  
Attorney at Law  
601 Main St., Suite 215  
Klamath Falls, OR 97601

Ruth E. Hagelstein  
13487 Agoma Rd.  
Klamath Falls, OR 97601

High Tech Diesel, Inc.  
600 Walnut St.  
Klamath Falls, OR 97601

SAIF Corporaton  
400 High St., SE  
Salem, OR 97312-1000

Basin Tire Service, Inc.  
R/A: Bruce Huffman  
3313 Washburn Way  
Klamath Falls, 97603

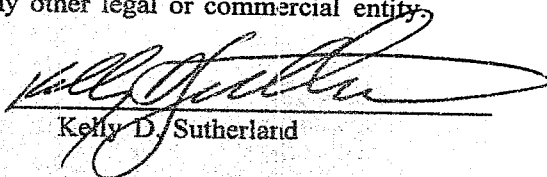
Novak's Auto Parts Supply  
R/A: John J. Novak  
2935 S Sixth Street  
Klamath Falls, OR 97601

Klamath County  
Courthouse  
316 Main Street  
Klamath Falls, OR 97601

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Kreisman, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Portland, Oregon, on May 3, 1994. Each notice was mailed after the date that the Notice of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

  
Kelly D. Sutherland

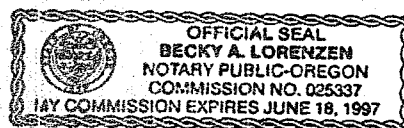
State of Oregon )

County of Multnomah )

On this 3<sup>rd</sup> day of MAY, in the year 1994, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal

  
Notary Public  
My Commission Expires 6/18/97



Lender Loan #: LOGS353-318838

94-11409

**TRUSTEE'S NOTICE OF SALE**

A default has occurred under the terms of a trust deed made by Duel E. Chinn and Mariam L. Chinn, husband and wife as grantor, to Transamerica Title Insurance Company, as Trustee, in favor of Town & Country Mortgage, Inc., an Oregon Corporation as Beneficiary, dated October 11, 1983, recorded October 17, 1983, in the mortgage records of Klamath County, Oregon, in Book No. M83 at Page 17754, beneficial interest having been assigned to American Residential Mortgage Corporation, covering the following described real property:

**PARCEL I:**

Tract 13, TOWNSEND TRACTS, in the County of Klamath, State of Oregon.

**PARCEL II:**

That portion of Lots 28 and 29, TOWNSEND TRACTS, in the County of Klamath, State of Oregon, lying East of the U.S.R.S. Drain.

**COMMONLY KNOWN AS:** 2733 Crest Street, Klamath Falls, OR 97601

According to the current beneficiary's records, the indebtedness is owed by Duel E. Chinn and Mariam L. Chinn.

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:

Monthly payments in the sum of \$672.00 from December 1, 1993, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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 sum being the following, to-wit:

\$43,249.66, together with interest thereon at the rate of 13.00% per annum from November 1, 1993 together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on September 14, 1994 at the hour of 10:00 o'clock A.M., in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Jail located at 3201 Vandenberg Road 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 has or had power to convey at the time of the execution of 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 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 obligations 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.

KELLY D. SUTHERLAND  
Successor Trustee

Dated 4/13/94

By: 

State of Oregon, County of Multnomah ss:

I, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale

SHAPIRO & KREISMAN  
522 SW 5th Avenue  
Suite 825  
Portland, Oregon 97204  
(503) 241-0772

Lender Loan #: LOGS353-318838

24382

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon     )  
County of Klamath    )

Court Case No.  
Sheriff's Case No. 94-01210

Received for Service 04/18/94

I hereby certify that I received for service on  
OCCUPANTS, ALL  
the within:

TRUSTEE'S NOTICE OF SALE

OCCUPANTS, ALL MIRIAM CHINN  
was served personally, and in person, at  
2733 CREST  
KLAMATH FALLS                     , OR, on 04/23/94,  
at 11:05 hours.

All search and service was made within Klamath County, State of  
Oregon.

Carl R. Burkhardt, Sheriff  
Klamath County, Oregon

By

R. Huntsman  
HUNTSMAN, RYAN

Copy to:

CAPITOL INVESTIGATION CO LTD  
P.O. BOX 3225  
PORTLAND

OR 97208

**AFTER RECORDING RETURN TO:**  
**SHAPIRO & KREISMAN**  
522 S.W. 5th Avenue  
Suite 825  
Portland, Oregon 97204  
(503) 241-0772

# CERTIFICATE OF NON-MILITARY SERVICE

STATE OF California )  
 ) SS.  
County of San Diego )

In construing this certificate, the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

A circular seal with a double-lined border. The text "AMERICAN RESIDENTIAL MORTGAGE CORPORATION" is written along the top inner edge. "INCORPORATED" is written along the bottom inner edge. The date "JUNE 10, 1983" is written in the center. "CALIFORNIA" is written along the bottom outer edge.

By:

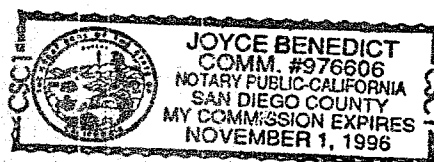
Name-Title Vice President

STATE OF California )  
 ) SS.  
 COUNTY OF San Diego )

On this 26th day of July, 19 94, before me the undersigned a Notary Public appeared Scott Dawson personally known to me or proved to me on the basis of satisfactory evidence to be the Vice President of the corporation that executed the within instrument, also know to me to be the person(s) who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, the date first hereinabove written.

Joyce Benedict  
 Notary Public for State indicated above  
 My commission expires: 11-1-96



Loan #: LOGS353-318838

STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of Klamath County Title Co the 8th day  
 of Aug A.D., 19 94 at 3:33 o'clock P M., and duly recorded in Vol. M94,  
 of Mortgages on Page 24378.  
 Evelyn Biehn - County Clerk  
 By Caroline M. Mendenhall

FEE \$40.00

NO RECORD

8-8-94

Doc. #85572  
Doc. #85573