

85912

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from
Trustees of the Ryan Anthony Flagg Trust and
Trustees of the Keri Manon Flagg Trust, Grantors

TO

L. Viola Ellis, Beneficiary

After recording return to:
Kosta, Spencer & MacArthur
439 Pine Street
Klamath Falls, OR 97601

STATE OF OREGON, County of Klamath) ss.

I, Scott D. MacArthur, being first duly sworn, depose, and 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 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:

Brian E. Flagg, Trustee of the Ryan Anthony Flagg Trust
P.O. Box 1986
Morgan Hill, CA 95038

Brian E. Flagg, Trustee of the Keri Manon Flagg Trust
P.O. Box 1986
Morgan Hill, CA 95038

Brian E. Flagg, Trustee of the Ryan Anthony Flagg Trust
P.O. Box 490
Fort Klamath, OR 97626

Brian E. Flagg, Trustee of the Keri Manon Flagg Trust
P.O. Box 490
Fort Klamath, OR 97626

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 Scott D. MacArthur, attorney for the trustee named in said notice; 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 April 6 & 7, 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 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.

Scott D. MacArthur

Subscribed and sworn to before me this 12th day of Aug, 19 94.



Camille Krieger
Notary Public for Oregon
My commission expires 9-22-96

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 _____

Title _____

By _____

, Deputy

Affidavit of Publication

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 #6238

TRUSTEE'S NOTICE OF SALE

L. VIOLA ELLIS

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:

APRIL 14, 21, 28, 1994

MAY 5, 1994

Total Cost: \$486.40

Sarah & Parsons

Subscribed and sworn to before me this 5th

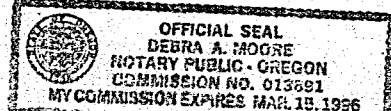
day of MAY

Debra A Moore 1994

Notary Public of Oregon

My commission expires

3-15-1996



NOTICE OF
DEFAULT AND
ELECTION TO SELL
Reference is
made to that certain
trust deed made by
Trustees of the First
Anthony Flagg Trust, as grant-
or to MTI TITLE
COMPANY OF KLA-
MATH COUNTY, as
trustee, in favor of L.
Viola Ellis, as bene-
ficiary, dated March
17, 1992, recorded
March 26, 1992, in the
mortgage records of
Klamath County, Ore-
gon, in book/reel/vol-
ume No. M92 at page
6257, covering the fol-
lowing described real
property situated in
said county and state,
to-wit:

Lot 1 in Block 7
of SECOND ADDITION
TO CHILOQUIN, ac-
cording to the official
plat thereof on file in
the office of the Coun-
ty Clerk of Klamath
County, Oregon.

Both the Bene-
ficiary 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
Section 83.735(3) of Or-
egon Revised Statutes.
The Default for which
the foreclosure is
made is grantor's fail-
ure to pay when due
the following sums:

Taxes from 1992-
1993 in the amount of
\$107.08, plus interest
which is due and owing.

Taxes from 1993-
1994 in the amount of
\$95.66, plus interest
which is due and owing.

Payment in full
on or before April 26,
1993.

By reason of said
default, the beneficiary
has declared all sums
owed on the obligation
secured by said trust
deed immediately due
and payable, said sums
being the following, to-
wit: \$107.74 as of
March 15, 1994 plus in-
terest.

WHEREFORE,
notice hereby is given
that the undersigned
trustee will on August
15, 1994, at the hour of
10 a.m. Standard time
as established by Sec-
tion 187.110, Oregon Re-
vised Statutes, at 439
Pine Street, in the City
of Klamath Falls, Coun-
ty of Klamath, State of
Oregon, sell at public
auction for cash the in-
terest in the said de-
scribed real property
which the grantor has
or had power to con-
vey at the time of the
execution by him of
said trust deed to sat-
isfy the foregoing obli-
gations, thereby se-
cured and the costs of
their successors in in-

terest incurred after
the execution of said
trust deed to satisfy
the foregoing obli-
gations, thereby secured
and the costs and ex-
penses of sale, includ-
ing a reasonable
charge by the trustee.
Notice is further given
that any person named
in Section 86.753 of Or-
egon Revised Statutes
has the right, at any
time prior to five days
before the trustee con-
ducts the sale, to have
this foreclosure pro-
ceeding dismissed and
the trust deed rein-
stated by payment to
the beneficiary of the
entire amount then due
together than such por-
tion of the principal as
would not then be due
had no default oc-
curred) and by curing
any other default com-
plained 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, neces-
sary to cure the de-
fault, by paying all
costs and expenses ac-
tually incurred in en-
forcing the obligation
and trust deed, togeth-
er with trustee's and at-
torney's fees not ex-
ceeding the amounts
provided by said Sec-
tion 86.753 of Oregon
Revised Statutes.

In construing this
notice, the masculine
gender includes the
feminine and the neu-
ter, the singular in-
cludes the plural, the
word "grantor" in-
cludes any successor
in interest to the gran-
tor as well as any other
person owing an obli-
gation, the perfor-
mance of which is se-
cured by said trust
deed, and the words
"trustee" and "bene-
ficiary" include their
respective successors
in interest, if any.

DATED: April 7, 1994
Scott D. MacArthur,
Successor Trustee
#6238 April 14, 21, 28,
1994 May 5, 1994

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Scott MacArthur the 15th day
of Aug A.D., 19 94 at 9:23 o'clock A.M., and duly recorded in Vol. M94
of Mortgages on Page 25105

FEE \$20.00

Evelyn Biehn - County Clerk

By *[Signature]*