

98501

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol 145

Page 9668

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from
Johnny A. Wolford and Andrea L. Wolford, husband and wife, Grantor

TO

Robert C. Johnson and Patricia A. Johnson, or the survivor, Beneficiary

After recording return to:
Spencer, Runnels, MacArthur & Porras
419 Main 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:

Johhny A. Wolford, 222 E. Main Street, Klamath Falls, OR 97601

Andrea L. Wolford, 222 E. Main Street, Klamath Falls, OR 97601

Oregon Legal Services, 136 N. 3rd Street, Klamath Falls, OR 97601

Oregon Legal Services, 516 SE Morrison, Portland, OR 97214

Valley Credit Services, P.O. Box 2046, Salem, OR 97308

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, December 6, 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
Scott D. MacArthur, Successor Trustee

Subscribed and sworn to before me this 17th day of April, 1995.

Camille Krueger
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 POSTING NOTICE OF SALE IN LIEU OF SERVICE

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STATE OF OREGON, County of Klamath) ss.

I, Ted L. Lindow, being first duly sworn, depose 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 18 years and not the beneficiary or his successor in interest name in the notice of sale given under the terms of that certain trust deed described in said notice.

I posted the Notice of Sale of the real property in the Notice of Sale posting said notice on the premises of Johnny A. Wolford and Andrea L. Wolford located at 222 E. Main Street, Klamath Falls, OR 97601.

NAME: Johnny A. & Andrea L. Wolford

ADDRESS: 222 E. Main Street,
Klamath Falls, OR 97601

Lot37 in Block 11 of INDUSTRIAL ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

Tax Account No. 3809-033BA-11400

Each of the notices so posted 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; and was posted by me on January 12, 1995. Each of said notices was posted after the Notice of Default and Election to Sell by the trustee was recorded and at least 90 days before the day fixed in said notice by the trustee for the trustee's sale.

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

Subscribed and sworn to before me this 13th day of January, 1995.



Camille Krieger
Notary Public for Oregon

My Commission Expires: _____

CERTIFICATE OF POSTING

STATE OF OREGON, County of Klamath)ss.

I certify that the within instrument received for recording 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 Deeds of said County.

Witness my hand and seal of County affixed.

After Recording return to:
Spencer, Runnels, MacArthur & Porras
419 Main Street
Klamath Falls, OR 97601

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 # 7111

NOTICE OF DEFAULT

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:

MARCH 1, 8, 15, 22, 1995

Total Cost: \$530.88

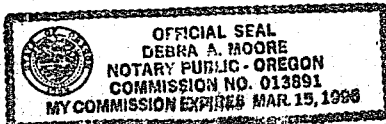
Sarah L. Parsons

Subscribed and sworn to before me this 22ND

day of MARCH 1995

Notary Public of Oregon

My commission expires 3-15 1996



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Scott MacArthur the 18th day
of April 1995 at 9:58 o'clock A M., and duly recorded in Vol. M95
of Mortgages on Page 9668

FEE \$25.00

By Bernatha G. Litsch, County Clerk

NOTICE OF DEFAULT AND ELECTION TO SELL

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: \$17,403.66 as of No-
vember 16, 1994 plus in-
terest.

W H E R E F O R E ,
notice hereby is given
that the undersigned
trustee will on April 24,
1995 at the hour of 10
a.m. Standard time, as
established by Section
187.110, Oregon Revised
Statutes, at 419 Main
Street, in the City of
Klamath Falls, County
of Klamath, State of Or-
egon, sell at public auc-
tion to the highest bid-
der for cash the inter-
est in said described
real property which the
grantors had or had
power to convey at the
time of the execution
by him of said trust
deed, to satisfy the
foregoing obligations
thereby secured and
the costs of their suc-
cessors in interest ac-
quired after the execu-
tion of said trust deed,
to satisfy the foregoing
obligations thereby se-
cured and the costs and
expenses of sale, in-
cluding 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 reinstat-
ed by payment to the
beneficiary of the en-
tire amount then due
(other than such por-
tion of the principal as

The undersigned
hereby certifies that no
assignments of the
trust deed by the trust-
tee or by the Reference
is made to that certain
trust deed made by
JOHNNY A. WOLFORD
and ANDREA L.
WOLFORD, Husband
and Wife, as grantors,
to MOUNTAIN TITLE
COMPANY OF KLA-
MATH COUNTY, as
trustee, in favor of RO-
BERT C. JOHNSON and
PATRICIA A. JOHN-
SON, OR THE SUR-
VIVOR THEREOF, as
beneficiaries, dated
January, 1993, recorded
February 4, 1993, in the
mortgage records of
Klamath County, Ore-
gon, in volume No. M93
at page 2622, covering
the following described
real property situated
in said county and
state, to-wit:

Lot 37 in Block 11
of INDUSTRIAL ADDI-
TION to the city of Klamath Falls, according
to the official plat
thereof on file in the
office of County Clerk of
Klamath County, Ore-
gon.

Both the benefici-
ary 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 86.735(3) of Or-
egon Revised Statutes.
The Default for which
the foreclosure is made
is grantor's failure to
pay when due the fol-
lowing sums:

Taxes from 1994-
1995 in the amount of
\$343.09, plus interest
which is due and owing.

Taxes from 1991-
1992 in the amount of
\$393.09, plus interest
which is due and owing.

Payments in the
amount of \$200.00 per
month from August
1994 through the pres-
ent.

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 per-
formance required un-
der the obligation or
trust deed, and in addi-
tion to paying said sums
or tendering the perfor-
mance necessary to
cure the default, by
paying all costs and ex-
penses actually in-
curred in enforcing the
obligation and trust
deed, together with
trustee's and attorney's
fees not exceeding the
amounts provided by
said Section 86.753 of
Oregon Revised Sta-
tutes.

In construing this
notice, the masculine
gender includes the
feminine and the neut-
er, 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 per-
formance which is se-
cured by said trust
deed, and the words
"trustee" and "benefici-
ary" include their re-
spective successors in
interest, if any.

DATED: February 23,
1995

Scott D. MacArthur
Successor Trustee
#7111 March 1, 8, 15, 22,
1995