

96-01-16P03:26 RCVD

After recording return to: William M. Ganong, Attorney at Law, 635 Main Street,  
Klamath Falls, OR 97601.

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

STATE OF OREGON, County of Klamath, ss:

I, William M. Ganong, Attorney at Law, 635 Main Street,  
Klamath Falls, Oregon 97601, being first duly sworn, depose, say  
and certify that:

I am the Trustee or Successor Trustee for the Trust Deed more  
particularly described in the Notice of Default and Election to  
Sell and Trustee's Notice of Sale recorded in Volume M95 at page  
25182 of the records of the Clerk of Klamath County, Oregon.

On September 18, 1995, I deposited with the United States  
Postal Service at Klamath Falls, Oregon, sealed envelopes each  
containing a Trustee's Notice of Sale executed by me and containing  
the information shown on the Trustee's Notice of Sale attached  
hereto. I mailed one such envelope by First Class Mail and one  
such envelope by Certified Mail with Return Receipt Requested,  
postage prepaid, to each of the following named parties at the  
following addresses:


Sheryl A. Torres  
4461 Day Drive  
Klamath Falls OR 97603

Thomas W. Torres  
4461 Day Drive  
Klamath Falls OR 97603


Klamath County Tax Collector  
305 Main Street  
Klamath Falls OR 97601

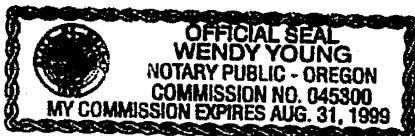
Said persons include: (a) the grantor in the trust deed; (b)  
any successor in interest to the grantor whose interest appears of  
record or of whose interest the trustee or the beneficiary has  
actual notice; (c) any person or agency having a lien or interest  
subsequent to the Trust Deed, which lien or interest appears of  
record or which the beneficiary has actual notice; and (d) any  
person requesting notice as provided in ORS 86.785.

The addresses shown above are the last known addresses of said  
parties.

  
William M. Ganong OSB No. 78213

Subscribed and sworn to before me this 10<sup>th</sup> day of January,  
1996.

  
Notary Public for Oregon  
My commission expires: 8-31-99



YOU ARE GIVEN NOTICE: THAT THE BENEFICIARY AND TRUSTEE HAVE ELECTED TO SELL THE PROPERTY DESCRIBED BELOW TO SATISFY THE FOLLOWING DESCRIBED OBLIGATION:

1. The names of the Grantor, Trustee and Beneficiary named in the subject Trust Deed are:

- A. Grantor: Thomas W. Torres and Sheryl A. Torres, husband and wife
- B. Trustee: Mountain Title Company of Klamath County
- C. Beneficiary: Henry J. Caldwell, Jr. and Deborah L. Caldwell, husband and wife, Henry J. Caldwell and Geneva B. Caldwell, husband and wife

2. The legal description of the property covered by the subject Trust Deed is:

Lot 5 in Block 8, FIRST ADDITION TO CYPRESS VILLA, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

3. The Book, page number and the date the subject Trust Deed was recorded in the Mortgage Records of Klamath County, Oregon are:

Book: M94 Page: 30732 Date Recorded: September 30, 1994

4. The default for which the foreclosure is made is the Grantor's failure to pay monthly installments of \$254 per month for the month of August, 1995 and the 1994-95 real property taxes and interest in the amount of \$1,520.71.

5. The sum owing on the obligation secured by the subject Trust Deed is the principal amount of \$14,245.24 plus interest thereon at the rate of 12% per annum from August 14, 1995, until paid.

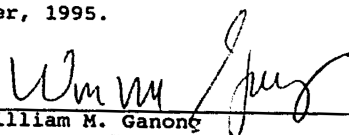
6. The Beneficiary and the Trustee have elected to foreclose the above referenced Trust Deed pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.

7. The Trustee will conduct a sale of the above described property at 10:00 a.m. on the 22nd of January, 1996, at the front steps of 635 Main Street, Klamath Falls, Oregon.

8. Pursuant to ORS 86.753, the Grantor, the Grantor's successor in interest to all or any part of the above described property, any beneficiary under a subordinate Trust Deed, or any person having a subordinate lien or encumbrance of record on the property, may cure the default or defaults at any time prior to five days before the above said date of sale by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred. In addition, the person affecting the cure shall pay all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and Attorney's fees specified in the said statute.

In construing this instrument, 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 persons owing an obligation, the performance of which is secured by said Trust Deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

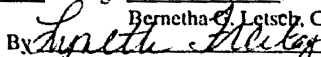
Dated this 18th day of September, 1995.

  
 William M. Ganong  
 Successor Trustee  
 635 Main Street  
 Klamath Falls, OR 97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm Ganong the 16th day  
 of Jan A.D., 19 96 at 3:26 o'clock P M., and duly recorded in Vol. M96  
 of Mortgages on Page 1246

FEE \$15.00

By  Bernetha A. Letsch, County Clerk