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22310

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol. 196 Page 23025

STATE OF OREGON, County of Josephine, ss:

I, Sharon Deardorff

, 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:

NAME	ADDRESS
The Pacesetter Corporation	144 Chemawa Road, N., Salem, OR 97303
The Prentice-Hall Corporation System, Reg. Agent	
Harold L. Furrey	4022 Fawn Avenue, Klamath Falls, OR 97601
Ernest L. Furrey	4022 Fawn Avenue, Klamath Falls, OR 97601
Sarah A. Furrey	4022 Fawn Avenue, 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, 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 Patrick J. Kelly

....., 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 Grants Pass, Oregon, on March 19, 1996. 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.

SHARON DEARDORFF

Subscribed and sworn to before me on 7-26, 1996.

Notary Public for Oregon. My commission expires 7-10-2000



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from  
FURREY

Grantor

TO  
KLAMATH COUNTY TITLE

Trustee

AFTER RECORDING RETURN TO  
PATRICK J. KELLY  
ATTORNEY AT LAW  
717 NW 5th ST.  
GRANTS PASS, OR 97526

(DON'T USE THIS SPACE: RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON, } ss.  
County of .....

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

## TRUSTEE'S NOTICE OF SALE

23026



Reference is made to that certain trust deed made by Sarah A. Furrey, Ernest L. Furrey, Harold L. Furrey, as grantor, to Klamath County Title Company, as trustee, in favor of Gary L. Nelson and Barbara A. Nelson\*, as beneficiary, dated September 28, 1992, recorded September 30, 1992, in the mortgage records of Klamath County, Oregon, in Book No. M92 at page 22788, or as ~~trustee~~ instrument/assignment No. 51636 (indicate which), covering the following described real property situated in said county and state, to-wit:

LOT 9 IN BLOCK 2 OF LENOX, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

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:

Balance of June 28, 1995 monthly installment of \$104.00 plus, July 28, 1995 monthly installment of \$162.50 and each month thereafter plus, Buyer's fees of \$32.00 plus, Late charges of \$89.43.

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:

The unpaid principal balance of \$12,713.55 with interest thereon at 15% per annum from July 28, 1995 until paid.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 25, 1996, at the hour of 10:30 o'clock, M., in accord with the standard of time established by ORS 187.110, at Front entrance of Klamath County Courthouse, 316 Main Street

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 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 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 March 4, 1996

PATRICK J. KELLY

Trustee

State of Oregon, County of Josephine ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

PATRICK J. KELLY Attorney for said Trustee

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.

SERVE:

\*Beneficiary's interest was assigned to Gary L. Nelson & Barbara A. Nelson, Trustees or their successors in trust, under the NELSON LOVING TRUST, dated 6-30-93, and any amendments thereto, by that certain assignment recorded 8-30-93 in Vol. M93, Pg. 21867 as Doc. #67104 in the Official records of Klamath County.

23028

GARY & BARBARA NELSON  
1000 Kubli Road  
Grants Pass, OR 97527

NELSON/FURREY FORECLOSURE BID  
July 26, 1996

Principal balance	\$12,713.55
Interest @ 15% (7-28-95 thru 7-31-96)	\$ 1,927.93
Late charges @ \$8.13 each	\$ 146.34
Foreclosure fees and costs	\$ 2,986.44
TOTAL	<u>\$17,774.26</u>

\*THE ABOVE FIGURE IS VALID THRU JULY 31, 1996. ONLY CASH OR  
CERTIFIED FUNDS WILL BE ACCEPTED.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Richard Fairclo the 30th day  
of July A.D., 19 96 at 2:59 o'clock P.M., and duly recorded in Vol. M96,  
of Mortgages on Page 23025.

Bernetha G. Letsch County Clerk

FEE \$25.00

By [Signature]