

After recording, return to:  
Theresa R. Grady  
U.S. Bancorp, Law Division  
P.O. Box 2200  
Portland, OR 97203-2200

'96 OCT 14 P3:38

STATE OF OREGON )  
COUNTY OF MULTNOMAH ) ss.

At all times hereinafter mentioned, I was and now am a resident of the State of Oregon, a competent person over the age of 21 years and not the Beneficiary, or his successor in interest, named in the attached original Notice of Sale given under the terms of that certain Trust Deed made, executed and delivered by Lyle W. Richards and Katheryn L. Richards, as Grantors, to Transamerica Title Insurance Company, as Trustee, to secure certain obligations in favor of United States National Bank of Oregon, as Beneficiary, dated May 1, 1979, and recorded May 1, 1979, in Volume M79, Page 9866, of the mortgage records of Klamath County, Oregon.

The beneficial interest under the Deed of Trust was assigned to U.S. Bank of Washington by instrument dated April 27, 1989 and recorded June 19, 1989, in Volume M89, Page 10906, of the mortgage records of Klamath County, Oregon.

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 mail and certified mail, to the following-named persons at their last known address, to wit:

**Lyle W. Richards**  
1891 Benson Avenue  
Klamath Falls, Oregon 97601

**Katheryn L. Richards**  
1891 Benson Avenue  
Klamath Falls, Oregon 97601

Claude J. Long  
c/o Brandsness, Brandsness & Rudd, P.C.  
411 Pine Street  
Klamath Falls, Oregon 97601

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Vern Long  
 c/o Brandsness, Brandsness & Rudd, P.C.  
 411 Pine Street  
 Klamath Falls, Oregon 97601

Said persons include (a) the Grantors in the Trust Deed, (b) any successor in interest to the Grantors 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.

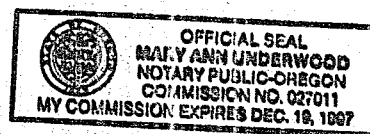
Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Wendell G. Kusnerus, the Trustee named in said Notice; each copy was deposited by me in the United States Post Office at Portland, Oregon, on the 4th day of June, 1996. With respect to each person listed above: 1) such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and 2) 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.

Theresa R. Gradt  
 Theresa R. Gradt

SUBSCRIBED and sworn to before me this 10th day of October, 1996.

[Signature]  
 Notary Public for Oregon  
 My commission expires: 10/15/97



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

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## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed (the "Trust Deed") made, executed and delivered by Lyle W. Richards and Katheryn L. Richards, as Grantors, to Transamerica Title Insurance Company, as Trustee, to secure certain obligations in favor of United States National Bank of Oregon, as Beneficiary, dated May 1, 1979, and recorded May 1, 1979, in Volume M79, Page 9866 of the mortgage records of Klamath County, Oregon, covering the following described real property situated in such county and state:

Lots 21, 22, 23 and 24, Block 28, MOUNTAIN VIEW  
ADDITION TO THE CITY OF KLAMATH FALLS, in the  
County of Klamath, State of Oregon.

Wendell G. Kusnerus was appointed Successor Trustee by a certain instrument dated May 21, 1996, and recorded May 29, 1996, in Volume M96, Page 15425, of the mortgage records of Klamath County, Oregon, and is now vested with all the powers of said former Trustee.

Beneficiary has elected to sell said real property to satisfy the obligations secured by the Trust Deed and to foreclose the Trust Deed by advertisement and sale. The default for which the foreclosure is made is the failure of Grantors to pay when due the following sums:

(a) The failure of Grantors to pay when due seven monthly payments of \$788.00 each, due on November 1, 1995 and on the first day of each month thereafter. As of May 21, 1996, the total amount of monthly payments in default was \$5,516.00.

(b) The failure of the Grantors to pay late charges, in the amount of \$30.00 as of May 21, 1996.

By reason of said default, Beneficiary has declared the entire unpaid balance of all obligations secured by the Trust Deed, together with the interest thereon, immediately due and payable, said sums being the following, to wit:

\$47,262.93, together with interest thereon at the rate of 10.375 percent per annum from October 2, 1995, until paid, plus \$297.00 representing the cost of a trustee's sale guarantee.

The Beneficiary and the Successor Trustee have elected to sell the property to satisfy the obligation secured. A notice of default and election to sell and to foreclose was duly recorded on May 29, 1996, in Volume M96, Page 15425 of said mortgage records, reference thereto hereby being expressly made.

**WHEREFORE, NOTICE HEREBY IS GIVEN**, that the undersigned Trustee or Trustee's attorney will, on the 15th day of October, 1996, at the hour of 10:00 A.M. standard time as established by ORS 187.110, at the front steps of the Klamath County Courthouse, 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 said described real property which Grantors had or had power to convey at the time of the execution by the Grantors of the Trust Deed, together with any interest which Grantors or their successors in interest acquired after the execution of the Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including the cost of a title search, a reasonable charge by Trustee, and a reasonable attorneys' fee for Trustee's attorneys. Notice is further given that the Grantors, or any person named in ORS 86.753, has the right, at any time prior to five days before the Trustee's sale, to require that the foreclosure proceeding be dismissed and the Trust Deed reinstated by the payment of the entire amount due (other than such portion of the principal as would not be due had no default occurred) under the terms of the Trust Deed and the obligations secured thereby, including all costs and expenses actually incurred and Trustee's and attorneys' fees as provided by ORS 86.753.

In construing this notice the word "Grantor" includes any successor in interest of Grantors, as well as any other person owing an obligation the performance of which is secured by the Trust Deed and their successors in interest; the word "Trustee" includes any successor trustee, and the word "Beneficiary" includes any successor in interest of Beneficiary named in the Trust Deed.

**DATED** at Portland, Oregon, June 4, 1996.

Wendell G. Kusnerus  
 WENDELL G. KUSNERUS, Trustee  
 U.S. Bancorp, Law Division  
 P. O. Box 2200  
 Portland, Oregon 97208-2200  
 (503) 275-7278

STATE OF OREGON )  
 COUNTY OF MULTNOMAH )

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.

/s/WENDELL G. KUSNERUS

Attorney for said Trustee

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness, Brandsness et al the 14th day of October A.D., 19 96 at 3:38 o'clock P.M., and duly recorded in Vol. M96 of Mortgages on Page 32532.

FEE \$25.00

Bernetha G. Letsch County Clerk  
 By Kurtus Ross