

30826

ASPEN 04044972/F

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol. 197 Page 214

STATE OF OREGON, County of KLAMATH, ss:

I, MARLENE T. ADDINGTON,

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

J.A.G.M. ENTERPRISES, INC.

4480 SOUTH SIXTH STREET  
KLAMATH FALLS, OREGON 97603

OCCUPANT

2143 ORCHARD AVENUE  
KLAMATH FALLS, OREGON 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.....

MARLENE T. ADDINGTON

~~successor~~ <sup>successor</sup>

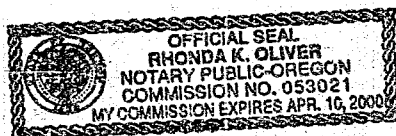
....., ~~trustee~~ <sup>successor</sup> for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at KLAMATH FALLS, Oregon, on AUGUST 12, 1996. With respect to each person listed 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.

*Marlene T. Addington*

Subscribed and sworn to before me on AUGUST 12, 1996.

*Rhonda K. Oliver*  
Notary Public for Oregon. My commission expires .....



AFFIDAVIT OF MAILING TRUSTEE'S  
NOTICE OF SALE

RE: Trust Deed from

Grantor

TO

Trustee

AFTER RECORDING RETURN TO

APSEN TITLE & ESCROW, INC  
ATTN: FORECLOSURE DEPARTMENT

(DON'T USE THIS  
SPACE; RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

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

\* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

97 JUN -6 NO-52

ON

ASPEN 04044972/F  
TRUSTEE'S NOTICE OF SALE

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Reference is made to that certain trust deed made by J.A.G.M. ENTERPROSES, INC., An  
OREGON CORPORATION, as grantor, to  
ASPEN TITLE & ESCROW, INC., Successor trustee, as trustee,  
in favor of NEIL B. LIEUALLEN and JUSTIN W. LIEUALLEN\*, as beneficiary,  
dated October 19, 1993, recorded October 20, 1993, in the mortgage records of  
KLAMATH County, Oregon, in book/~~200~~ 100 page No. M93 at page 27523, or  
as fee/~~100~~ 100 page No. 70045 (indicate which), covering the following described real  
property situated in said county and state, to-wit:

Lot 326, Block 111, Mills Addition to the City of Klamath Falls, in the County of  
Klamath, State of Oregon.  
Code 1 Map 3809-33AC-TL 2600

\* SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF AS THOUGH  
FULLY SET FORTH HEREIN....

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 de-  
fault for which the foreclosure is made is grantor's failure to pay when due the following sums:  
Monthly installments of not less than \$382.18 due for November and December of 1995,  
January thru August of 1996; subsequent amounts for assessments due under the terms  
and provisions of the Note and Trust Deed.

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: \$28,546.00 plus interest and  
late charges, thereon from November 19, 1993 at the rate of EIGHT (8.00%) PERCENT PER  
ANNUM until paid and all sums expended by the Beneficiary pursuant to the terms and  
provisions of the Note and Trust Deed; plus any and all taxes owing.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 13, 1997,  
at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at  
FRONT ENTRY TO ASPEN TITLE & ESCROW, INC., LOCATED AT 525 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 per-  
formance 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 AUGUST 6, 1996

*Harlene T. Addington*

Trustee

State of Oregon, County of KLAMATH

ss:

successor

I, the undersigned, certify that I am the ~~beneficiary~~ successor of the above named trustee and that  
the foregoing is a complete and exact copy of the original trustee's notice of sale.

Successor ~~beneficiary~~ 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:

## EXHIBIT "A"

This Trust Deed is an All Inclusive Trust Deed and is second and subordinate to the Trust Deed now of record which was recorded on 10/15/93, in Volume , Page , Microfilm Records of Klamath County, Oregon, in favor of BRUCE L. GUSTAFSON & ALEXIS GUSTAFSON, as Beneficiary, which secures the payment of a Note therein mentioned.

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 6th day  
of January A.D., 19 97 at 10:52 o'clock A. M., and duly recorded in Vol. M97  
of Mortgages on Page 214

FEE \$20.00

Bernetha G. Letsch, County Clerk  
by Kathleen Bass