

34405

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

MTC 39585

Vol. 7632 Page 7632

STATE OF WASHINGTON, County of KING ss:

I, the undersigned, 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 Washington, 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 address, to-wit:

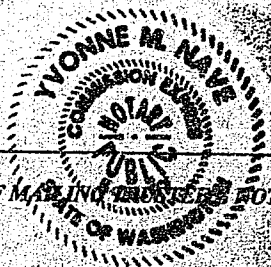
NAME	ADDRESS
Marvin Wesley Patterson, 234 Main Avenue, Merrill, OR 97633	
Marvin Wesley Patterson, P.O. Box 799, Merrill, OR 97633-0799	

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 DAVID E. FENNELL, 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 Bellevue, Washington, on 12/23/96. 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.

Subscribed and sworn to before me on 06/3 1996 by Tuan Ngo



Notary Public for Washington

Residing at Seattle

My commission expires: 5/4/97

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Marvin Wesley Patterson
Grantor

to
DAVID E. FENNELL

Trustee

File No. 7038.20083/Patterson

After recording return to:

ROUTH CRABTREE & FENNELL
1750 - 112TH AVENUE NE, SUITE A-208
BELLEVUE, WA 98004

97 MAR 14 P 3:45

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Reference is made to that certain trust deed made by Marvin Wesley Patterson, as grantor, to Preston, Thorgrimson, Shidler, Gates & Ellis, c/o Lucy Kivel, Esq., as trustee, in favor of TMS Mortgage Inc., a New Jersey Corporation, dba The Money Store, as beneficiary, dated May 5, 1995, recorded May 17, 1995, in the mortgage records of Klamath County, Oregon, in Volume: M95, Page 12862, covering the following described real property situated in said county and state, to wit:

Lot 1, Block 21, Original Town of Merrill, in the County of Klamath, State of Oregon.

PROPERTY ADDRESS: 234 Main Avenue, Merrill, OR 97633

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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: monthly payments of \$360.28 beginning 04/01/96; plus late charges of \$18.01 each month beginning 04/16/96; plus prior accrued late charges of \$34.60; plus escrow advances of \$0.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$37,833.65 with interest thereon at the rate of 10.95% per annum beginning 03/01/96; plus late charges of \$18.01 each month beginning 04/16/96 until paid; plus prior accrued late charges of \$34.60; plus escrow advances of \$0.00; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 4, 1997 at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the following place: the inside main lobby of the 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 described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's 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 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.

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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 December 2, 1976


David E. Fennell - Trustee

For further information, please contact:

Yonnie M. Nave
ROUTH CRABTREE & FENNELL
1750 - 112TH AVENUE NE, SUITE A-208
BELLEVUE, WA 98004
(206) 453-5055

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

David E. Fennell - Trustee

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE
USED FOR THAT PURPOSE**

PROOF OF SERVICE

7635

STATE OF OREGON)
) ss.
 County of Klamath)

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, upon the OCCUPANTS at the following address:

234 MAIN AVENUE, MERRILL, OREGON 97633, as follows:

Personal service upon Tracy Bryson, by delivering said true copy, personally and in person at the above address on 12/28/96, 199 the hour of 4:12 p.m.

Personal service upon _____, by delivering said true copy, personally and in person at the above address on _____, 199 the hour of m.

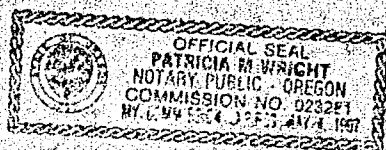
Substitute service upon Dave Herden, by delivering said true copy, at his/her usual place of abode as indicated above, to Tracy Bryson who is a person over the age of 14 years and a member of the household on 12/28/96 at the hour of 4:12 p.m.

Substitute service upon _____, by delivering said true copy, at his/her usual place of abode as indicated above, to _____ who is a person over the age of 14 years and a member of the household on _____ at the hour of m.

I declare under the penalty of perjury that the above statement is true and correct.

Kathleen Shaffer
 Kathleen Shaffer (#85) 151603

SUBSCRIBED AND SWORN to before me this 30th day of December, 1996.



[Signature]
 Notary Public for Oregon

RECEIVED

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ROUTH CRABTREE & FENNEL

**STATE OF OREGON,
COUNTY OF KLAMATH**

I, Julie Hughes, 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 in general circulation, as
defined by Chapter 193 ORS, printed and
published at Klamath Falls in the
aforesaid county and state; that the

LEGAL #9191

TRUSTEE'S NOTICE.....

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for FOUR

(4) insertion(s) in the following issues:

FEBRUARY 13/20/27

MARCH 6, 1997

Total Cost: \$581.44

Julia A. Hayes

Subscribed and sworn before me this 6TH
day of MARCH 1997

[illegible]

to satisfy the foregoing obligations. The above is the substance of the foregoing petition and the costs and expenses of this proceeding, including a reasonable charge by the trustee, which is to be given that any person named in ORS 87-520 has the right at any time prior to five days before the date last aforesaid to file with this foreclosure proceeding dismissed

Subscribed and sworn before me this 6TH
day of MARCH 1997

Debra a. Lippin

Notary Public of Oregon

My commission expires 3-15-2000

STATE OF OREGON : COUNTY OF KLAMATH: §§.

Filed for record at request of Amerititle
of March A.D. 19 97 at 3:45 o'clock P. M. and duly recorded in Vol. 14th
of Mortgages on Page 7632 M97

FEE \$30.00

Bernetha G. Letsch, County Clerk

by Kathleen Rose

34406

WARRANTY DEED
MTC 40516-KR

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LOUIS FAULKNER WHO ACQUIRED TITLE AS LEWIS FAULKNER AND DEATH