

44060

K-50513
AFFIDAVIT OF MAILING Vol. 1997 Page 27651STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) S.S.In the matter of NOTICE OF TRUSTEE SALE AND NOTICE OF
FORECLOSURE
TS # OTFS049331

DIANA BAGLEY of STANDARD TRUSTEE SERVICE COMPANY WASHINGTON
being duly sworn, deposes and says: That she/he is over the age of eighteen years; That on April 17, 1997, by certified
mail/regular mail enclosed in a sealed envelope with prepaid postage thereon, she/he deposited in the United States post
office at CONCORD, CA notices, a true and correct copy of which is hereunto attached and made a part hereof, addressed
to the following:

F967275222
and first class mailOCCUPANTS OF THE PREMISES
4461 DAY DRIVE
KLAMATH FALLS, OR 97603F967275223
and first class mailSHERYL A. TORRES
4461 DAY DRIVE
KLAMATH FALLS, OR 97603F967275224
and first class mailTHOMAS W. TORRES
4461 DAY DRIVE
KLAMATH FALLS, OR 97603

DB

97 JUN 25 AM 10:08

Return to: Standard Trustee Service Company Washington
P.O. Box 5070
Concord, CA 94524-2670

The receipts for certification of said letters are hereunto affixed and made a part hereof. I certify (or declare) under
penalty of perjury that the foregoing is true and correct.

Affiant

CALIFORNIA

27682



ALL-PURPOSE



ACKNOWLEDGEMENT

STATE OF CALIFORNIA)

COUNTY OF CONTRA COSTA)

On 8-19-97 before me, TRACINA JOHNSON, NOTARY PUBLIC
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

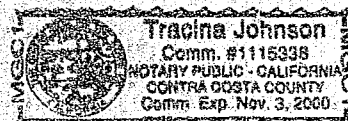
personally appeared, DIANA BAGLEY

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC SIGNATURE

(SEAL)



OPTIONAL INFORMATION



TITLE OR TYPE OF DOCUMENT _____

DATE OF DOCUMENT _____ NUMBER OF PAGES _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

Record and Return to:
STANDARD TRUSTEE SERVICE
COMPANY WASHINGTON
2600 Stanwell Drive, Suite 200
Concord, CA 94520
(510) 603-1000

T.S. No: OTFS049331

Loan No: 3675400593

TRUSTEE'S NOTICE OF SALE

The Trustee, under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in said Trust Deed to satisfy the obligations secured thereby.

A. PARTIES IN THE TRUST DEED:

GRANTOR(S): SHERYL A. TORRES, THOMAS W. TORRES

TRUSTEE: ASPEN TITLE & ESCROW

BENEFICIARY: TRANSAMERICA FINANCIAL SERVICES

B. DESCRIPTION OF THE PROPERTY

LOT 5, BLOCK 8, FIRST ADDITION TO CYPRESS VILLA, IN THE COUNTY OF KLAMATH, STATE OF OREGON, CODE 41, MAP 3909-12CC TL 5100.

Property commonly known as: 4461 DAY DRIVE, KLAMATH FALLS, OR 97603

C. TRUST DEED INFORMATION:

DATED DATE: March 29, 1996

RECORDING DATE: April 2, 1996

RECORDING NUMBER:

Book: M96

Page: 9342

RERECORDED ON: Rec # Book Page

RECORDING PLACE: Official records of the County of KLAMATH
State of Oregon

D. DEFAULT: The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:

1. Monthly Payments:

Monthly installments and late charges from September 3, 1996
and all subsequent installments and late charges.

TOTAL PAYMENTS AND LATE CHARGES:

\$9,548.00

2. Other Accruals:

TOTAL AMOUNT DUE:

\$9,548.00

Plus all accrued real property taxes, interest or penalties until paid.

3. Default(s) other than payment of money:

Delinquent Property Taxes, if any

IMPORTANT: READ SECOND & THIRD PAGE OF THIS DOCUMENT

E. AMOUNT DUE: The Beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being:

Principal Balance: \$95,119.19

In addition to said principal, interest at the rate of as provided in the Note or other instrument secured, shall be payable from 8/3/96 at 15.500 % plus trustee fees, attorney's fees foreclosure costs, and any other expenses in connection with this foreclosure.

F. ELECTION TO SELL: NOTICE HEREBY IS GIVEN that the Beneficiary and Trustee, by reason of said default have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 et seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in the said described property which the Grantor(s) had, or had the power to convey, at the time of the execution of the Trust Deed together with any interest the Debtor or successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed together with the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of Trustee's Attorney.

G. TIME AND PLACE OF SALE:

TIME: 10:00 AM TUESDAY August 26, 1997
PLACE: KLAMATH COUNTY COURTHOUSE
316 MAIN STREET, KLAMATH FALLS, OR

H. RIGHT TO REINSTATE: NOTICE IS FURTHER GIVEN that at any time prior to five days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee 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 to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed together with Trustee's fees and Attorney's fees.

I. 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 the Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 4/14/97

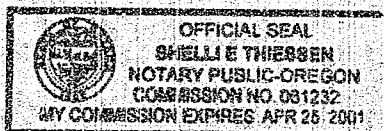
Victoria Hatch, Esq.
4710 S.W. Kelly Ave.
Portland, OR 97201
(503) 224-1170

By: [Signature]

Victoria Hatch, Esq.

(State of OREGON)
(County of MULTNOMAH) ss

On this 2nd day of April in the year 1997, before me personally appeared Victoria Hatch, Esq., to known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed same as her free and Voluntary act and deed, for the uses and purposes herein mentioned.



[Signature]
Notary Public in and for the State of Oregon
Residing at 221 W. Harrison St. Portland, OR 97205
My Commission Expires 4/25/01

TS Number: OTFS049331

Loan Number: 3075400593/TORRES

March 27, 1997

FAIR DEBT COLLECTION PRACTICES ACT NOTIFICATION

Pursuant to and in compliance with the Fair Debt Collection Practices Acts (Federal [15 USC 1692]) the Trustee/Agent named in the Notice of Default hereby provides the following notification(s):

"We are attempting to collect a debt and any information we obtain will be used for that purpose."

"The debt described in the Notice of Default is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification."

If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor."

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Klamath County Title the 25th day
of August A.D., 19 97 at 10:03 o'clock A. M., and duly recorded in Vol. M97
of Mortgages on Page 27681.

FEE \$30.00

By Bernetha G. Letsch, County Clerk
Bernetha G. Letsch

Recorded August 25, 1997 Withdrawn Document #44061