

OC

51620

MTC 42184

Vol. 1798 Page 1291



TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON,

County of Lane } ss.

I, BRADLEY S. COPELAND

being first duly sworn, depose, say and certify that:

I am the successor

trustee in that certain trust deed executed and delivered by

Phil K. Andersch

as grantor

to Mountain Title Company of Klamath County

as trustee,

in which Liberty Savings & Loan Association

is beneficiary, recorded on November 18

County, Oregon, in book/reel/volume No. M86, 19.86., in the mortgage records of Klamath

County, Oregon, in book/reel/volume No. M86, at page 21067.

or as fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in said county:

Lots 44 and 45, BALSIGER TRACTS, according to the official plat thereof
on file in the office of the County Clerk of Klamath County, Oregon.

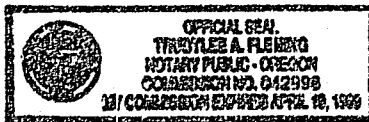
98 JAN 14 P 3:47

I hereby certify that on September 11

19.97., the above described real property was not occupied.
The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed
first mentioned above.

BRADLEY S. COPELAND

Successor Trustee



Subscribed and sworn to before me

October 1

19.97.

Wendell Fleming
Notary Public for Oregon

My commission expires 4-19-99

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCYRE: Trust Deed from
Phil K. Andersch

Grantor

to

Mountain Title Company of
Klamath County

Trustee

AFTER RECORDING RETURN TO

Bradley S. Copeland, Esq.
P.O. Box 1758
Eugene, OR 97440-1758

(DON'T USE THIS
SPACE: RESERVED
FOR RECORDING
LABEL IN COUNTIES
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/instru-
ment/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

Reference is made to that certain Trust Deed made by Phil K. Andersch, as Grantor, to Mountain Title Company of Klamath County, as Trustee, in favor of Liberty Savings and Loan Association, as Beneficiary, dated November 18, 1986, and recorded November 18, 1986, in Volume M86, Page 21067, Microfilm Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

Lots 44 and 45, BALSIGER TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

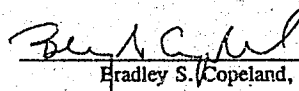
Both the Beneficiary and the Trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is Grantors' failure to pay when due the following sums: The entire principal balance, interest and escrow balance in the amount of \$161,279.23.

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: Principal balance in the amount of \$148,319.92, plus interest on the principal balance at the rate of 11% per annum from December 1, 1996, until paid.

WHEREFORE, notice is hereby given that the undersigned Trustee will on January 16, 1998, at the hour of 1:00 o'clock P.M., in accord with the standard of time established by ORS 187.110, at the following place: Front Lobby of Klamath County Sheriff's Office, 808 S. 5th 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 said described real property which the Grantors had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the Grantors or their 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 ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantors" includes any successor in interest to the Grantors 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.

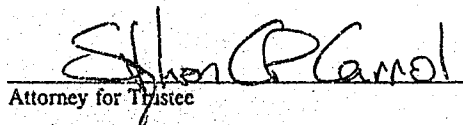
DATED: September 3, 1997.



Bradley S. Copeland, Successor Trustee

STATE OF OREGON)
) ss.

County of Lane) 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.


Attorney for Trustee

Bradley S. Copeland, Successor Trustee
800 Willamette Street, Suite 800
Eugene, OR 97401

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 14th day
of January A.D., 19 98 at 3:47 o'clock P. M., and duly recorded in Vol. M98
of Mortgages on Page 1291

FEE \$15.00

By Bernetha G. Letsch, County Clerk
Kathleen Ross