

52713

STATE OF OREGON, County of Multnomah) ss:

I, Molly M. Luoto, 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:

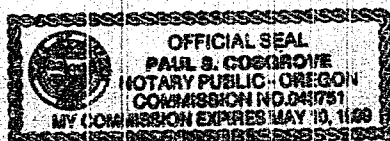
NAME

ADDRESS

SEE ATTACHED EXHIBIT A.

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 Molly M. Luoto, 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 Portland, Oregon, on October 15, 1997. 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 Oct 20, 1997.

Paul S. Cosgrove
Notary Public for Oregon.

My commission expires 5/10/99

| | | | |
|--|---------|--|--|
| AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE | | STATE OF OREGON,)) ss. County of) | |
| RE: Trust Deed from William Darrell Gregory | Granter | I certify that the within instrument was received for record on _____, 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. | |
| to Klamath County Title Company | Trustee | NAME _____ TITLE _____ | |
| AFTER RECORDING RETURN TO Paul S. Cosgrove Lindsay, Hart, Neil & Weigler, LLP Suite 3400, 1300 S.W. Fifth Avenue Portland, OR 97201-5596 | | By _____ Deputy | |

(DON'T USE THIS
SPACE RESERVED
FOR RECORDING
LABEL IN COUNTIES
WHERE USED.)

Exhibit A

Occupants

4342 Summers Lane
Klamath Falls, OR 97603

Rebecca Marie Gregory
4342 Summers Lane
Klamath Falls, OR 97603

Rebecca Marie Gregory
4000 Round Lake Rd., Unit 2
Klamath Falls, OR 97601

Rebecca Marie Gregory
P.O. Box 7387
Klamath Falls, OR 97602

William Darrell Gregory
4342 Summers Lane
Klamath Falls, OR 97603

William Darrell Gregory
4000 Round Lake Rd., Unit 2
Klamath Falls, OR 97601

William Darrell Gregory
P.O. Box 7387
Klamath Falls, OR 97602

Credit Bureau of Klamath County
assumed business name registered to:
Mills, Ltd.
c/o Arthur Mills, Registered Agent
839 Main Street
Klamath Falls, OR 97601

Klamath County Tax Collector
P.O. Box 340
Klamath Falls, OR 97601

Candace Amborn
Attorney at Law
439 Pine Street
Klamath Falls, OR 97601

Boyd Yaden
Trustee
P.O. Box 606
Klamath Falls, OR 97601

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by William Darrell Gregory and Rebecca Marie Gregory as grantor, to Klamath County Title Company, as trustee, in favor of Associates Financial Services Company of Oregon, Inc., as beneficiary, dated November 3, 1995, recorded November 9, 1995, in the mortgage records of Klamath County, Oregon, in volume No. M95 at page 30618, covering the following described real property situated in said county and state, to-wit:

See Exhibit A

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 grantor's failure to pay when due the following sums:

Monthly payments for April 1997 through September 1997, for a total of \$8,283.00, plus real property taxes for 1996-97.

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:

As of April 16, 1997, the principal sum of \$ 103,431.05 plus interest thereafter; plus any sums advanced by the beneficiary or beneficiary's successor in interest for the protection of the above described property, plus attorney and trustee's fees incurred by reason of said default.

WHEREFORE, notice hereby is given that the undersigned trustee will on Tuesday, February 17, 1998, at the hour of 11:15 a.m., in accord with the standard of time established by ORS 187.110, at Main entrance to Klamath County Courthouse, 317 South 7th 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 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.

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. The Federal Fair Debt Collection Practices Act requires we state: This is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED October 8, 1997.

Paul S. Cosgrove
Paul S. Cosgrove, Successor Trustee

State of Oregon, County of Multnomah) ss:

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

For said Trustee

EXHIBIT "A"
DESCRIPTION OF PROPERTY

A tract of land situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of said Section 10, said point being N 0°21' W (North by recorded legal description) a distance of 633.125 feet from the Southeast corner of said Section 10; thence N. 0°21' W., a distance of 102.0 feet; thence S. 89°52' W. (West by recorded legal description) a distance of 270.2 feet to an iron pin; thence S. 0°21' E. parallel with the East line of said Section 10 a distance of 102.0 feet to an iron pin on the Northwest corner of Lot 26 "Debirk Homes"; thence N. 89°52' E. (East by recorded legal description) along the North line of "Debirk Homes" a distance of 270.2 feet, more or less to the point of beginning. SAVING AND EXCEPTING therefrom that portion lying within the boundaries of Summers Lane.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of First American Title the 5th day
of February A.D., 19 98 at 2:44 o'clock P.M., and duly recorded in Vol. M98,
of Mortgages on Page 3678.

FEE \$25.00

By Bernetha G. Leitch, County Clerk
(Kathleen R. Rasmussen)