

52300

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol. 018 Page 4189

STATE OF OREGON, County of Multnomah) ss.

I, Laura Henderson, 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:

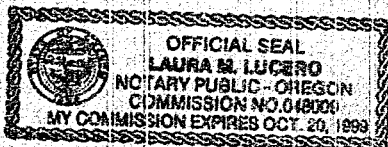
NAME

ADDRESS

See 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 10-15, 1997.

Laura M. Lucero
Notary Public for Oregon.

My commission expires 10-20-99

AFFIDAVIT OF MAILING TRUSTEE'S
NOTICE OF SALE

RE: Trust Deed from
Dennis J. Hadd

Grantor

to

Klamath County Title

Trustee

AFTER RECORDING RETURN TO

Paul S. Cosgrove
Lindsay, Hart, Neil & Weigier, LLP
Suite 3400, 1300 S.W. Fifth Avenue
Portland, OR 97201-5696

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

STATE OF OREGON,

County of

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.

NAME

TITLE

By

Deputy

Occupants
Corner of Sprague River Hwy and 7th
Sprague River, OR 97639

Dennis J. Hadd
Corner of Sprague River Hwy and 7th
Sprague River, OR 97639

Dennis J. Hadd
P.O. Box 163
Sprague River, OR 97639

Dennis J. Hadd
24041 Sprague River Road
Sprague River, OR 97639

Margaret Hadd
Corner of Sprague River Hwy and 7th
Sprague River, OR 97639

Margaret Hadd
P.O. Box 163
Sprague River, OR 97639

Margaret Hadd
24041 Sprague River Road
Sprague River, OR 97639

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Dennis J. Hadd and Margaret Hadd as grantor, to Klamath County Title as trustee, in favor of Associates Financial Services Company of Oregon, Inc. as beneficiary, dated February 15, 1996 recorded February 23, 1996 in the mortgage records of Klamath County, Oregon, in volume M96 at page 5075, covering the following described real property situated in said county and state, to-wit:

The Southerly 15 feet of Lot 7 and Lots 8, 9, 10, 11, and 12, in Block 19, FIRST ADDITION TO SPRAGUE RIVER 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 grantor's failure to pay when due the following sums:

Monthly payments for March 1997 through October 1997, in the amount of \$4,629.68, plus real property taxes for 1995-96, and 1996-97.

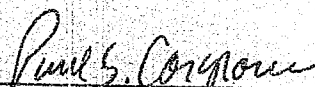
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

As of March 3, 1997 the principal sum of \$42,118.54 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 February 17, 1998, at the hour of 11:00 a.m., in accord with the standard of time established by ORS 187.110, at Klamath County Courthouse, 317 South 7th Street, Second Floor, 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 9, 1997.


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

PROOF OF SERVICE

STATE OF OREGON)
) ss.
 County of Klamath)

4192

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, along with a copy of Notice Under the Fair Debt Collection Practices Act, upon the OCCUPANTS at the following address:

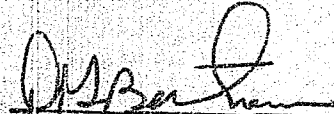
24041 SPRAGUE RIVER ROAD, SPRAGUE RIVER, OREGON 97639, as follows:

Personal service upon Margaret Hadd, by delivering said true copy, personally and in person, at above address on October 20, 1997 at the hour of 3:30 p.m.

Substitute service upon Dennis Hadd, by delivering said true copy, at his/her usual place of abode as indicated above, to Margaret Hadd, who is a person over the age of 14 years and a member of the household on October 20, 1997 at the hour of 3:30 p.m.

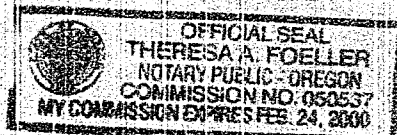
Substitute service upon John Hadd, by delivering said true copy, at his/her usual place of abode as indicated above, to Margaret Hadd, who is a person over the age of 14 years and a member of the household on October 20, 1997 at the hour of 3:30 p.m.

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


 Donald G. Bertram 157863

SUBSCRIBED AND SWORN to before me this 20th day of October, 1997.



 Notary Public for Oregon



CERTIFICATE OF MAILING

STATE OF OREGON)
) ss.
County of Multnomah)

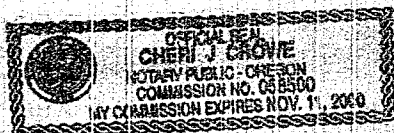
I, Sophie C. Butler, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. That on October 20, 1997, I mailed a certified true copy of the Trustee's Notice of Sale, along with the Notice Under the Federal Fair Debt Collection Practices Act, postage pre-paid, together with a statement of the date, time, and place at which substitute service was made upon John Hadd at 24041 Sprague River Road, Sprague River, Oregon 97639 on October 20, 1997 at the hour of 3:30 p.m.



Sophie C. Butler

157863

SUBSCRIBED AND SWORN TO BEFORE ME this 20th day of October, 1997.





NOTARY PUBLIC FOR OREGON

NATIONWIDE PROCESS SERVICE, INC.
222 CENTURY TOWER
1201 S.W. 12TH AVENUE
PORTLAND, OREGON 97205
(503) 241-0636

CERTIFICATE OF MAILING

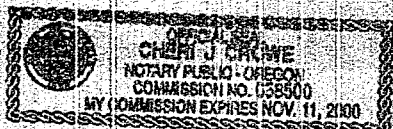
STATE OF OREGON)
) ss.
 County of Multnomah)

I, Sophie C. Butler, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. That on October 20, 1997, I mailed a certified true copy of the Trustee's Notice of Sale, along with the Notice Under the Federal Fair Debt Collection Practices Act, postage pre-paid, together with a statement of the date, time, and place at which substitute service was made upon Dennis Hadd at 24041 Sprague River Road, Sprague River, Oregon 97639 on October 20, 1997 at the hour of 3:30 p.m.

Sophie C. Butler
 Sophie C. Butler

157863

SUBSCRIBED AND SWORN TO BEFORE ME this 20th day of October, 1997.



Cheri J. Crowe
 NOTARY PUBLIC FOR OREGON

NATIONWIDE PROCESS SERVICE, INC.
 222 CENTURY TOWER
 1201 S.W. 12TH AVENUE
 PORTLAND, OREGON 97205
 (503) 241-0635

STATE OF OREGON: COUNTY OF CLATSOP: ss.

Filed for record at request of First American Title the 9th day
 of February A.D. 19 98 at 3:17 o'clock P. M., and duly recorded in Vol. M98
 of Mortgages on Page 4189

FEE \$35.00

By Bernetha G. Letsch, County Clerk
Kathleen Ross