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54600

ASPEN 04046786/F

Vol. 199 Page 8111

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Klamath, ss:

I, Andrew A. Patterson

, 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

Paul Graham

29280 S Leham Road
Tracy, California 95367

MAR 12 P3:25

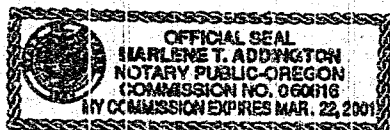
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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.....

Andrew A. Patterson, ~~AMENDMENT~~ 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 Klamath Falls, 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 October 15, 1997.



Harlene T. Addington
Notary Public for Oregon. My commission expires 3-22-01

AFFIDAVIT OF MAILING TRUSTEE'S
NOTICE OF SALE

RE: Trust Deed from

Grantor

TO

Trustee

AFTER RECORDING RETURN TO

ASPEN TITLE & ESCROW, INC
ATTN: FORECLOSURE DEPARTMENT

(DON'T USE THIS
SPACE, RESERVED
FOR RECORDING
LABEL IN COUN-
TIES 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/instrument/microfilm/reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By Deputy

* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.
PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

ON

Aspen 04046786/F
TRUSTEE'S NOTICE OF SALE

8112



Reference is made to that certain trust deed made by _____, as grantor, to
Paul Graham, as trustee,
Aspen Title & Escrow, INC., successor trustee, as beneficiary,
 in favor of Circle Five Ranch, INC., as beneficiary,
 dated January 30, 1997, recorded February 3, 1997, in the mortgage records of
Klamath County, Oregon, in book NEW Klamath No. M97 at page 3243, or
 as fee/ NEW Klamath No. 32269 (indicate which), covering the following described real
 property situated in said county and state, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof as though
 fully set forth herein....

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 de-
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums:

Annual installments of not less than \$70,000.00 in any one payment. Interest shall be
 paid annually and is included in the minimum payments. The first payment to be made on
 February 3, 1998 and like payments on the 3rd day of each February. In addition to the
 annual payments, there will be an additional payment in the sum of \$25,000.00 due on or
 before August 3, 1997 and subsequent installments of like amounts; subsequent amounts for
 assessments due under the terms and provisions of the Note and Trust Deed.
 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: \$650,000.00 plus interest and
 late charges, thereon from February 3, 1997 at the rate of seven point five (7.5%) per
 cent per annum until paid and all sums expended by the Beneficiary pursuant to the terms
 and provisions of the Note and Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 19, 1998,
 at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at
 Front entry to Aspen Title & Escrow, INC., located at 525 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 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 per-
 formance 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.

DATED October 15, 1997

Trustee

State of Oregon, County of Klamath ss:

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.

Successor NEW Klamath Trustee

SERVE:

If the foregoing is a copy to be served pursuant to
 ORS 86.740 or ORS 86.750(1), fill in opposite
 the name and address of party to be served.

EXHIBIT "A"

In Township 38 South, Range 15 East of the Willamette Meridian,
in the County of Klamath, State of Oregon.

Section 31: SE 1/4 SE 1/4
Section 32: S 1/2 S 1/2
Section 33: SE 1/4 SE 1/4
Section 34: S 1/2 SW 1/4, NW 1/4 SW 1/4

In Township 39 South, Range 15 East of the Willamette Meridian,
in the County of Klamath, State of Oregon.

Section 3: Lots 3 and 4 (N 1/2 NW 1/4) and SW 1/4 NW 1/4
and W 1/2 SW 1/4
Section 4: All
Section 5: Lots 1, 2, 3 and 4, S 1/2 NE 1/4; S 1/2 NW 1/4
and SW 1/4
Section 6: SE 1/4 SW 1/4, S 1/2 SE 1/4, NE 1/4 SE 1/4,
SE 1/4 NE 1/4
Section 9: N 1/2 NE 1/4 and NE 1/4 NW 1/4

CODE 8 MAP 3815 TL 4500
CODE 8 MAP 3815 TL 5200
CODE 36 MAP 3915 TL 700

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT
AND PROOF OF SERVICE

8114

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:
STATE OF OREGON, County of Klamath) ss.

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3), upon the occupant of the property described in said Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in said trust deed, are as follows:

NAME OF PERSON TO BE SERVED
(If unknown, so state)

PROPERTY ADDRESS

Paul Graham

29280 S. Leham Road
Tracy, California 95376

If the occupant is indicated as "unknown", or if you find the property at said address to be occupied by other than the person named, then you are instructed to serve the person or persons whom you find to be occupying said property.

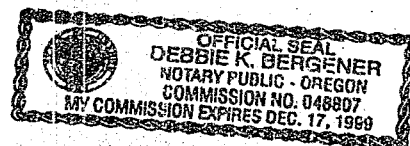
Service should be made by October 27, 1991, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in making service until it has been accomplished.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Andrew A. Bergener
Notary Public for Oregon

Subscribed and sworn to before me this 15th day of October 15, 1991.

Debbie K. Bergener
Notary Public for Oregon. My commission expires: 12-17-99



PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to this foregoing affidavit.

TRUSTEE'S INSTRUCTIONS AND PROOF OF
SERVICE UPON OCCUPANT OF TRUSTEE'S
NOTICE OF SALE

(120-Day Notice per ORS 86.750(1))

RE: Trust Deed from

Grantor

TO

Trustee

AFTER RECORDING RETURN TO

ASPEN TITLE & ESCROW, INC
ATTN: FORECLOSURE DEPARTMENT

SPACE RESERVED
FOR
RECORDER'S USE

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/instrument/microfilm/reception No. .
Record of Mortgages of said County.
Witness my hand and seal of County affixed.

By Deputy
NAME TITLE

PROOF OF SERVICE

STATE OF California, County of San Joaquin ss.

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 hereinbefore set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or 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 entitled to be such by the attorney for the trustee or successor trustee, as follows:

Personal Service Upon Individual(s)

Upon PAUL GRAHAM, by delivering such true copy to him/her, personally and in person,
at 29280 Lehman Road, Tracy, CA, on Oct. 27, 1997, at 1:11 o'clock PM.
Upon _____, by delivering such true copy to him/her, personally and in person,
at _____, on _____, 19____, at _____ o'clock ____.

Substituted Service Upon Individual(s)

Upon _____, by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____, who is a person over the
age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____.
Upon _____, by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____, who is a person over the
age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____.


Office Service Upon Individual(s)

Upon _____, at the office which he/she maintains for the conduct of
business at _____, by leaving such true copy with _____, the person who
is apparently in charge, on _____, 19____, during normal working hours, at to-wit: _____ o'clock ____.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon _____, by
(Name of Corporation, Limited Partnership, etc.)
(a) delivering such true copy, personally and in person, to _____ who is at the
office of _____, the person who is apparently in charge of the
(b) leaving such true copy with _____, the person who is apparently in charge of the
office of _____, who is at the _____ thereof;
* Specify registered agent, officer (by title), director, general partner, managing agent.
at _____, on _____, 19____, at _____ o'clock ____.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HERewith.


ROBERT J. CAPUTA, S.J. CO. REG. #57
209-835-8953

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public for Oregon
My commission expires _____

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 12th day
of March A.D., 1998 at 3:25 o'clock P. M., and duly recorded in Vol. M98
of Mortgages on Page 8111

FEE \$30.00

By Bernetha G. Letsch, County Clerk
Kathleen Rose