

56621

'98 APR 17 P3:13

Vol 179 Page 12873

STATE OF OREGON)
County of Deschutes) ss

AFFIDAVIT OF MAILING
TRUSTEE'S NOTICE OF SALE
K 51676

I, JIM N. SLOTHOWER, being duly sworn, state as follows:

1. At all times hereinafter mentioned, I was and now am a resident of the State of Oregon, a competent person over the age of 18 years and not the beneficiary or the successor in interest named in the attached original Notice of Sale given under the terms of that certain Trust Deed described in said Notice.

2. On December 19, 1997, 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 at their respective last known addresses, to-wit:

Jon Dessert
10317 NE 93rd St.
Vancouver, WA 98682-3038

3. 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 trust 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.

4. Each of the notices so mailed was certified to be a true copy of the original notice of sale by L. Thomas Clark, attorney 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 Bend, Oregon, on December 19, 1997. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address 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.

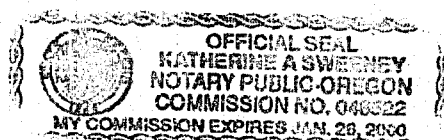
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation or any other legal or commercial entity.

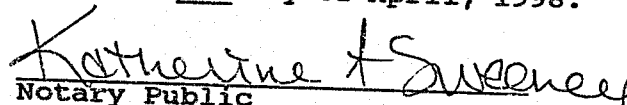
12874

DATED this 14th day of April, 1998.


Jim N. Slothower

SUBSCRIBED AND SWORN to before me this 14 day of April, 1998.




Katherine A. Sweeney
Notary Public
My Commission Expires: 1/26/2000

f:\w\doc\jim\ndf\galer.am

ON

TRUSTEE'S NOTICE OF SALE

12875



Reference is made to that certain trust deed made by JON DESSERT, as grantor, to WESTERN TITLE & ESCROW, assigned to Jim N. Slothower, as trustee, in favor of STEVEN TRONO, assigned to Home Advantage Financial Services, Inc., as beneficiary, dated July 18, 1994, recorded August 11, 1994, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M94 at page 24920, or as fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real property situated in said county and state, to-wit:

Lots 9 and 10 in Block 1, Tract 1098-Split Rail Rancho, 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 of \$210.00 from 8/12/97 and thereafter and the 1995-96 and 1996-97 real property taxes totalling \$471.62, plus interest

**described real property and its interest therein.

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:

\$19,495.79, plus interest at the rate of 9.9% per annum from 4/22/97 until paid, plus accrued late charges, title expenses, costs, trustee's and attorney's fees incurred herein by reason of said default, and any further sums advanced by the beneficiary for the protection of the above**

WHEREFORE, notice hereby is given that the undersigned trustee will on May 6, 1998, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the front steps of the Klamath County Library, 126 S. 3rd St. 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.

DATED December 18, 1997

Jim N. Slothower

Successor Trustee

State of Oregon, County of Deschutes 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.

Attorney for said Trustee

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.

SERVE: _____

Return to: Jim Slothower: P.O. Box 351 Bend, Or 97709

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Jim N. Slothower the 17th day of April A.D., 19 98 at 3:13 o'clock P. M., and duly recorded in Vol. M98 of Mortgages on Page 12873

FEE \$20.00

By Bernetha G. Leisch, County Clerk