

57507

Vol. 798 Page 14880K-51861
AFFIDAVIT OF MAILING OF NOTICE OF SALE

STATE OF OREGON)
) SS.
COUNTY OF LANE)

I, MICHAEL C. AROLA, being first duly sworn, depose and say:

1. I am the Successor Trustee of the Trust Deed described in the attached Trustee's Notice of Sale.

2. I served the attached Trustee's Notice of Sale upon the following parties by depositing original copies thereof in the United States Mail at Eugene, Oregon, on February 2, 1998:

Larry D. Milligan
6462 Bryant Avenue
Klamath Falls OR 97603

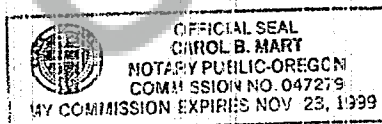
Klamath County Clerk
403 Pine Street, Suite 300
Klamath Falls OR 97601

3. The above copies were enclosed in sealed envelopes addressed to the parties named above at the addresses set forth below their names which, to the best of my knowledge, were their last known addresses as of the date of mailing. The copies were mailed by certified mail, return receipt requested, and by first class mail, with postage prepaid.

Michael C. Arola
Michael C. Arola

Signed and sworn to before me on February 2, 1998, by
MICHAEL C. AROLA.

Carol B. Mart
Notary Public for Oregon
My Commission Expires: 11-23-99



AFTER RECORDING RETURN TO:
Hershner, Hunter, et al
Attn: Carol B. Mart
P.O. Box 1475
Eugene, OR 97410

AFFIDAVIT OF MAILING OF NOTICE OF SALE
AFTER RECORDING RETURN TO:
Hershner, Hunter, et al
Attn: Carol B. Mart
P.O. Box 147
Eugene, OR

PROOF OF SERVICE

STATE OF OREGON)
COUNTY OF KLAMATH) ss.

14851

I swear that I am competent person 18 years of age or older and a resident of the State of Oregon; that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise, named in the attached Trustee's Notice of Sale; that I served the an original of the attached Trustee's Notice of Sale on the following persons and that each person served is the identical one named in the trustee's instructions to me.

Personal Service

On JANUARY 21, 1998, at 3:30 o'clock, P.M., I delivered the attached original Trustee's Notice of Sale to Debra A Milligan in person, at 6462 Bryant, Klamath Falls, OR 97603

On _____, 19____, at _____ o'clock, ____M., I delivered the attached original Trustee's Notice of Sale to _____ in person, at _____

On _____, 19____, at _____ o'clock, ____M., I delivered the attached original Trustee's Notice of Sale to _____ in person, at _____

Substitute Service

On _____, 19____, at _____ o'clock, ____M., I served the attached Trustee's Notice of Sale on _____ by delivering a original copy to _____, a person over the age of 14 years residing in said party's dwelling house or usual place of abode at _____

On _____, 19____, at _____ o'clock, ____M., I served the attached Trustee's Notice of Sale on _____ by delivering an original copy to _____, a person over the age of 14 years residing in said party's dwelling house or usual place of abode at _____

Office Service

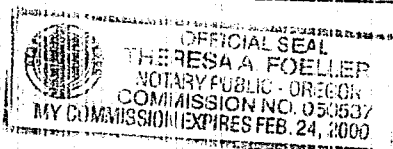
On _____, 19____, at _____ o'clock ____M., I left an original copy of the Trustee's Notice of Sale with _____ the person apparently in charge of the business office maintained by _____ at _____

On _____, 19____, at _____ o'clock ____M., I left an original copy of the Trustee's Notice of Sale with _____ the person apparently in charge of the business office maintained by _____ at _____

AFTER RECORDING RETURN TO:

Hershner, Hunter, et al
Attn: Carol B. Mart
P.O. Box 1473
Eugene, OR 97440

Signed and sworn to before me on JANUARY 22, 1998, by _____



Theresa A. Foeller
Notary Public for Oregon
My Commission Expires: _____

TRUSTEE'S NOTICE OF SALE

14882

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES:
Grantor: DEBRA A. MILLIGAN and LARRY D. MILLIGAN
Trustee: MOUNTAIN TITLE COMPANY
Successor Trustee: MICHAEL C. AROLA
Beneficiary: BANK OF AMERICA NT & SA, successor by merger to Bank of America Oregon

2. DESCRIPTION OF PROPERTY: The real property is described as follows:

Lot 3 in Block 7 of SECOND ADDITION TO WINEMA GARDENS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; situate in the County of Klamath and State of Oregon.

3. RECORDING. The Trust Deed was recorded as follows:
Date Recorded: October 28, 1994
Volume M94, Page 33468
Official Records of Klamath County, Oregon

4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: Monthly payments in the amount of \$723.02 each, due the first of each month, for the months of March through May 1997, plus monthly payments in the amount of \$729.62 each, for the months of June 1997 through January 1998; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$76,866.08 plus interest at an adjustable rate pursuant to the terms of the Promissory Note from February 1, 1997; plus late charges of \$393.96, plus advances of \$143.70.

6. ELECTION TO SELL. The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.

7. TIME OF SALE.
Date: June 4, 1998
Time: 10:00 a.m. as established by ORS 187.110
Place: Front of the United States Post Office, 317 S. 7th Avenue, Klamath Falls, Oregon

8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511.

DATED: January 20, 1998.

By MICHAEL C. AROLA

MICHAEL C. AROLA, Successor Trustee
HERSHNER, HUNTER, ANDREWS, NEILL & SMITH, LLP
P.O. Box 1475
Eugene, OR 97440

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

AFTER RECORDING RETURN TO:
Hershner, Hunter, et al
Attn: Carol B. Mart
P.O. Box 1475
Eugene, OR 97440

First American Title
on this 4th day of May A.D., 1998
at 11:20 o'clock A. M. and duly recorded
in Vol. M98 of Mortgages Page 14880
Bernethi G. Letsch, County Clerk
By Kathleen Roaz
Fee, \$20.00 Deputy: