

63095

Vol. 198 Page 28778

**AFFIDAVIT OF MAILING TRUSTEE'S
NOTICE OF SALE**

RE: Trust Deed from

Jeff C. Cole

To (Order)

Mountain Title Company of
Klamath County, Trustee

Blair M. Henderson,

Successor

After recording, return to (Name, Address, Zip):

Blair M. Henderson, Attorney

426 Main Street

Klamath Falls, OR 97601

(541) 884-7731

SPACE RESERVED
FOR
RECORDERS 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
_____ and/or as fee/file/instru-
ment/microfilm/reception No. _____,
Records of said County.

Witness my hand and seal of County
affixed.

NAME

TITLE

By _____ Deputy

MTCL 43534

STATE OF OREGON, County of _____ Klamath _____ ss:

I, _____ Blair M. Henderson

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 the beneficiary's successor in interest named in the attached original notice of sale given
under the terms of that certain deed described in the notice of sale.

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale* by mailing copies 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

JEFF C. COLE, Grantor

ADDRESS

P. O. Box 1052
Chiloquin, OR 97624

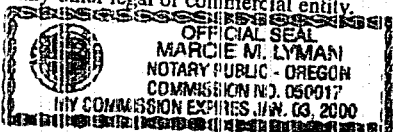
*and certified true copy of Notice of Default and Election to Sell

These 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 benefi-
ciary has actual notice of the lien or interest; and (d) any person requesting notice as set forth in ORS 86.785.*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by _____ Blair M.
Henderson

_____ attorney for the trustee named in the notice. Each such
copy was mailed 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 _____ April _____, 1998. 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, with postage thereon in an amount sufficient to accomplish the same.
Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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



BLAIR M. HENDERSON

Subscribed and sworn to before me on _____ April _____, 19 98

Notary Public for Oregon

My commission expires _____ January 3, 2000

* 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.

TRUSTEE'S NOTICE OF SALE

28779



Reference is made to that certain trust deed made by Jeff C. Cole

Mountain Title Company of Klamath County, as grantor, to
in favor of Stephen M. Salata and Doris M. Salata, husband and wife, as trustee,
or the survivor thereof (see reverse side for continuation),
dated February 2, 1993, recorded March 11, 1993, in the mortgage records of
Klamath County, Oregon, in Book 341/volume No. M93 at page 5017, or
as fee/instrument/microfilm/reception No. n/a (indicate which), covering the following described real
property situated in said county and state, to-wit:

Lots 1 and 2 in Block 3 of SECOND ADDITION TO CHILOQUIN, 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 de-
fault for which the foreclosure is made is grantor's failure to pay when due the following sums: delinquent
installments of \$319.32, each, for the months of 9/4/95, 4/4/97, 9/4/97,
10/4/97, 11/4/97, 12/4/97, 1/4/98, 2/4/98, and 3/4/98; delinquent taxes
of \$339.22, plus interest, for fiscal year 1996-97, and \$308.43, plus
interest, for fiscal year 1997-98.

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: \$23,573.05, plus interest
at the rate of 8% per year from August 4, 1997, until paid; plus
delinquent taxes in the sum of \$339.22, plus interest, for fiscal year
1996-97; and \$308.43, plus interest, for the fiscal year 1997-98.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 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 steps of Klamath Falls Post Office, 317 S. 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 of 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 April 6, 1998

BLAIR M. HENDERSON

Successor Trustee

State of Oregon, County of _____
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:

The beneficial interest under said Trust Deed was assigned by instrument recorded October 19, 1993, volume M93, page 27410, Microfilm Records of Klamath County, Oregon, from Stephen M. Salata and Doris M. Salata, to Ortha L. Simons and Irene M. Simons, Trustees under Agreement dated May 21, 1990; and

The beneficial interest under said Trust Deed was assigned by instrument recorded January 9, 1996, Volume M96, page 716, Microfilm Records of Klamath County, Oregon, from Ortha L. Simons and Irene M. Simons, Trustees under Agreement dated May 21, 1990, to Stephen M. Salata and Doris M. Salata.