

NT

64556

MT 44075

Vol. 98 Page 30028

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

RE: Trust Dred from

Sheryl Stroede

To

Grantor

Valerie T. Auerbach

Successor

Trustee

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

Valerie T. Auerbach (OLB)  
121 S.W. Morrison, Suite 600  
Portland, OR 97204

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 \_\_\_\_\_ and/or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Records of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_

Deputy

STATE OF OREGON, County of \_\_\_\_\_

Multnomah

) ss:

I, Olga L. Buchanan

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

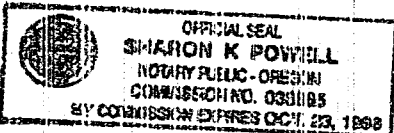
ADDRESS

See Exhibit 1 attached hereto and incorporated herein.

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 beneficiary 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 \_\_\_\_\_, 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 \_\_\_\_\_, Oregon, on April 7, 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.



Olga L. Buchanan

Subscribed and sworn to before me on April 7, 1998

Sharon K. Powell

Notary Public for Oregon

My commission expires 10-23-98

\* More than one form of affidavit may be used when the parties are numerous or when the mailing is done in 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.

EXHIBIT 1

30029

Sheryl Stroede  
2834 Homedale Rd.  
Klamath Falls, OR 97603

Rowe F. Kinney, Jr.  
11221 Yonna Loop Rd.  
Bonanza, OR 97623

Unofficial  
Copy



## TRUSTEE'S NOTICE OF SALE

Reference is made to a certain trust deed ("Trust Deed") made, as follows:

Trust Deed dated May 31, 1996, by Sheryl Stroede, as grantor, to Amerititle, as trustee, in favor of Rowan F. Kinney, Jr., as beneficiary, recorded on May 31, 1996, in Volume M96, Page 15948, in the mortgage records of Klamath County, Oregon. The beneficial interest under said Deed of Trust was assigned to Old Standard Life Insurance Company by assignment recorded February 25, 1997, in Volume M97, Page 5556, records of Klamath County, Oregon.

The Trust Deed covers the following described real property ("Property") situated in said county and state, to-wit:

The Southerly 50 feet of Tract 4, BAILEY TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The real property is commonly known as: 2884 Homedale Rd., Klamath Falls, OR 97603.

There are defaults by the grantor or other person owing an obligation, the performance of which is secured by the Trust Deed, with respect to provisions therein which authorize sale in the event of default of such provision; the defaults for which foreclosure is made is grantor's failure to pay when due the following sum:

Arrearage in the sum of \$4,770.65 as of April 1, 1998, plus additional payments, property expenditures, taxes, liens, assessments, insurance, attorney's and trustee's fees and costs, and interest due at the time of reinstatement or sale.

By reason of said defaults, the beneficiary has declared all sums owing on the obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:

Payoff in the sum of \$62,145.53 as of April 1, 1998, plus taxes, liens, assessments, property expenditures, insurance, accruing interest, attorney's and trustee's fees and costs incurred by beneficiary or its assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 18, 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 following place: main entrance of the Klamath County Courthouse, 317 South 7th 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 above-described 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 the Trust Deed, to satisfy the 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 86.750 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 sum 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 Deed of Trust, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR

DATED: April 2, 1998.

Valerie T. Auerbach  
Valerie T. Auerbach, Successor Trustee

State of Oregon, County of Multnomah

I, the undersigned, certify that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

Olga L. Buchanan, Paralegal

For further information, contact:  
Olga L. Buchanan, Paralegal  
Farleigh, Wada & Witt, P.C.  
121 SW Morrison, Suite 600  
Portland, OR 97204  
(503) 223-6044; fax (503) 228-1741

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 14th day  
of August A.D., 19 98 at 11:25 o'clock A M., and duly recorded in Vol. M98  
of Mortgages on Page 30028.

FEE \$20.00

By Bernetha G. Letsch, County Clerk  
Kathleen Rose