

68418

TRUSTEE'S NOTICE OF SALE

Vol. 112 Page 38803

Reference is made to that certain trust deed made by John F. Julaton and Marline Julaton as tenants by the entirety, as grantor, to Mountain Title Company of Klamath County, Oregon, as trustee, in favor of Glenn E. Spulier and Margaret H. Spulier, as beneficiary, dated September 9, 1988, recorded October 31, 1988, in the mortgage records of Klamath County, Oregon, in book/roll/volume No. M88 at page 18394, or as fee/file/instrument/interoffice reception No. (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 17 in Block 48 of TRACT 1184 - OREGON SHORES, UNIT 2 FIRST ADDITION, 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 installments of \$207.05 each for all months after May 1989, together with all real property taxes falling due for the years 1990 through 1997.

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: \$16,000 and interest thereon at 9.5% per annum from January 10, 1989 and real property taxes and tax foreclosure costs of \$860.84 with interest thereon as determined by the Klamath County Tax Collector.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 23, 1988, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the law office of Donald R. Crane, 303 Pine Street, Suite 201 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 June 5, 1988

Donald R. Crane, Successor Trustee

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.

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.

38804

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Klamath **, ss:**

I, Donald R. Crane, 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

John F. Julaton

P.O. Box 9261
Dededo, Guam 96912

Marline Julaton

P.O. Box 9261
Dededo, Guam 96912

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.....

Donald R. Crane

....., 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....., Oregon, on....., 19..... 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.

Donald R. Crane

Subscribed and sworn to before me on June 5, 1998.



Diane Loney
Notary Public for Oregon. My commission expires 03/27/99.

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

RE: Trust Deed from

**John F. Julaton and
Marline Julaton**

Grantor

**TO
Mountain Title Company
of Klamath County, Oregon**

Trustee

AFTER RECORDING RETURN TO

**Donald R. Crane
303 Pine Street, Suite 201
Klamath Falls, OR 97601**

(DON'T USE THIS
SPACE; RESERVED
FOR RECORDING
LABEL IN COUN-
TIES WHERE
USED.)

Fee: \$15.00

STATE OF OREGON,
County of Klamath **} ss.**

I certify that the within instrument was received for record on the 22nd day of October, 1998, at 3:16 o'clock P.M., and recorded in book/reel/volume No. M98 on page 38803 or as fee/file/instrument/microfilm/reception No. 68418, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Bernetha G. Letsch, Co. Clerk

NAME

TITLE

By Kathleen Rose Deputy