

NT

75016

AFFIDAVIT OF MAILING TRUSTEE'S
NOTICE OF SALE

RE: Trust Deed from:

Carol A. Hicks

To

Grantor

James R. Uerlings

Trustee

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

James R. Uerlings

110 N. 6th Street

Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

99 FEB 22 P3:55

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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 _____ Klamath _____ ss:

I, _____ James R. Uerlings _____,

being first duly sworn, depose, and say 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 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
1) Carol A. Hicks	4550 Winter Avenue Klamath Falls, OR 97603
2) The Klamath Tribes Housing Authority	905 Main Street, Suite 613 Klamath Falls, OR 97601
3) Associates Financial Services	2047 Washburn Way Klamath Falls, OR 97603
4) State of Oregon c/o Klamath County District Attorney	403 Pine Street Klamath Falls, OR 97601
5) Southern Oregon Credit Service	P.O. Box 4070 Medford, OR 97501

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

James R. Uerlings

_____, 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 _____ January 27 _____, 1999. 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.



James R. Uerlings, Successor Trustee

Subscribed and sworn to before me on February 22, 1999

Notary Public for Oregon

My commission expires 10/21/2001

ON

6090 

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Carol A. Hicks

....., as grantor, to
 Amerititle as trustee,
 in favor of Forest Products Federal Credit Union as beneficiary,
 dated May 16 19 97, recorded May 19 1997, in the mortgage records of
Klamath County, Oregon, in Book 997 volume No. M97 at page 15244 or
 as ~~noting the record of the deed of the property~~ covering the following described real
 property situated in said county and state, to-wit:

(See attached Exhibit A)

James R. Uerlings appointed Successor Trustee on March 25, 1998, recorded on March 27, 1998
 in Klamath County, Oregon in Volume M98, page 9913.

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:

(See attached Exhibit B)

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:

\$37,681.05 plus interest and penalties on the principal balance of \$36,614.02 at 8.125%
 per annum from December 31, 1998 until paid, plus all attorney fees, trustee's fees and
 costs of foreclosure.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 10 19 99,
 at the hour of 10:30 o'clock, A.M., in accord with the standard of time established by ORS 87.110, at
110 N. 6th 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 or 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 January 25 19 99.James R. Uerlings

Successor 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

SERVE:

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.

EXHIBIT "A"
DESCRIPTION OF PROPERTY

A tract of land described as follows: Beginning at a point which lies North 88°57' East along the quarter line a distance of 1287 feet from the iron axle which marks the one quarter section corner common to Sections 10 and 11, Township 39 S., R. 9 E. W. M., and running thence: continuing North 88°57' East along the quarter line a distance of 63 feet to an iron pin which marks the Southeast corner of the S ½ SW ¼ NW ¼ of Section 11, Township 39 S., R. 9 E. W. M.; thence North 0°43' West a distance of 331.4 feet to a point; thence South 88°47' West a distance of 65.7 feet to a point; thence South 1°12' East a distance of 331.4 feet, more or less, to the point of beginning, said tract in the S ½ SW ¼ NW ¼ of Section 11, Township 39 South, Range 9 E. W. M., Klamath County, Oregon. There is reserved for road purposes a strip of land 30 feet wide along the north side of this tract.

Exhibit B

1. Failure to make monthly payments of \$267.30 (principal and interest) for the months of October through December, 1998 and January 1999 and each month thereafter on the first of each month.
2. Late payment fees on each monthly payment not made within 15 days of the first of month. (Due for October 1998 - January 1999 in the amount of \$53.48 plus \$13.37 per month thereafter)
3. Failure to pay real property taxes and insurance in the sum of \$283.59, as of December 31, 1998 plus additional amounts for taxes and insurance as they become due.

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of James R. Uerlings the 22nd day
 of February A.D., 1999 at 3:55 o'clock P. M., and duly recorded in Vol. M99
 of Mortgages on Page 6089

FEE \$25.00

Linda Smith, County Clerk

by Kathleen Ross