

After Recording Return To:

77653

'99 APR -7 AM 1:51

Glenn H. Prohaska
4425 SW Corbett Avenue
Portland, Oregon 97201

Vol 1799 Page 12543

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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah) ss:

Glenn H. Prohaska, 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.

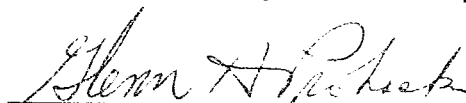
I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME:	Diler & Margaret Catterton	ADDRESS:	250 Division St., Klamath Falls, OR 97601
	Occupant(s)		10502 Washburn Wy., Klamath Falls, OR 97601

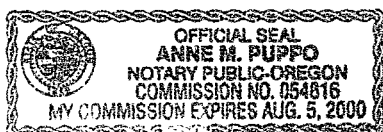
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 Glenn H. Prohaska, 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 Portland, Oregon on November 6, 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.


Glenn H. Prohaska, OSB #69140

Subscribed and sworn to before me on April 7, 1999, by Glenn H. Prohaska.




Notary Public for Oregon

TRUSTEE'S NOTICE OF SALE

12544

Reference is made to that certain trust deed made by Diler E. Catterton and Margaret Catterton, as grantor(s), to Bonnie P. Serkin, as trustee, in favor of First Bank National Association, n/k/a U.S. Bank National Association, as beneficiary, dated April 11, 1995, recorded April 19, 1995, in the mortgage records of Klamath County, Oregon, as Fee No. Book M95 at Page 9795, covering the following described real property situated in said county and state, to wit:

Lot 2, in Block 2 of TRACT 1018, according to the official plat thereof on file in the office of the County Clerk of Klamath Co

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.

\$ 4,151.82	Total amount of monthly installments due as of 9/15/98
210.00	Total late charges due
\$ 4,361.82	TOTAL AMOUNT REQUIRED TO REINSTATE AS OF 9/15/98

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:

\$ 75,868.97	Principal Balance of Loan
\$ 75,868.97	TOTAL AMOUNT DUE AS OF 9/15/98

WHEREFORE, notice hereby is given that the undersigned trustee will on **April 7, 1999**, at the hour of **11:30 o'clock A.M.**, in accord with the standard of time established by ORS 187.110, at front steps of Klamath County Courthouse 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.

12545

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 11/6, 198

Glenn H Prohaska
Trustee

STATE OF OREGON, County of Multnomah) 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.

Glenn H Prohaska
Glenn H. Prohaska, OSB #69140

SERVE: Diler E. Catterton and/or Margaret Catterton
250 Division Street
Klamath Falls, Oregon 97601

Occupant(s)
10502 Washburn Way
Klamath Falls, Oregon 97601

12546

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 98-03361

Received for Service 11/10/98

I hereby certify that I received for service
the within:

TRUSTEE'S NOTICE OF SALE

Further I certify that on 11/19/98, after personal inspection, I
found the following described real property to be unoccupied:

10502 WASHBURN WAY
KLAMATH FALLS

, Oregon.

All search and service was made within Klamath County, State of
Oregon.

Carl R. Burkhardt, Sheriff
Klamath County, Oregon

By Rebecca Dailey
DAILEY, REBECCA

Copy to:

PROHASKA, GLENN H
4425 SW CORBETT AVE
PORTLAND

OR 97201

After Recording Return To:

12547

Glenn H. Prohaska
4425 SW Corbett Avenue
Portland, Oregon 97201

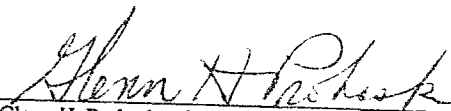
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CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON, County of Multnomah) ss.

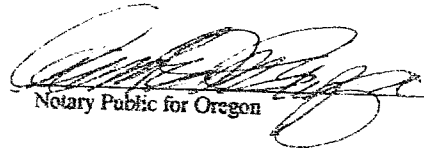
THIS IS TO CERTIFY that I am the beneficiary in that certain trust deed in which Diler E. Catterton and Margaret Catterton as grantor, conveyed to Bonnie P. Serkin as trustee, certain real property in Klamath County, Oregon. The trust deed was dated April 11, 1995 and recorded April 19, 1995 in the Records of that county. Book M95 at Page 9795. Thereafter, a Notice of Default with respect to the trust deed was recorded September 21, 1998 as fee No. M98, Page 34489. Thereafter, the trust deed was duly foreclosed by advertisement and sale, and the real property covered by the trust deed was sold at the trustee's sale on April 7, 1999. I reasonably believe that, at no time during the period of three months and one day immediately preceding the day of the sale, and including the day thereof, was the real property described in and covered by the trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

In construing this certificate the singular includes the plural, "grantor" includes any successor in interest to the grantor, "trustee" includes any successor trustee, and "beneficiary" includes any successor in interest to the beneficiary named in the trust deed


Glenn H. Prohaska, OSB #69140

This instrument was acknowledged before me on April 7, 1999 by Glenn H. Prohaska.




Notary Public for Oregon

12548

by Kathleen Ross

THIS IS NOTICE, HEREBY, since the singular in
OFFICE
and notice hereby is given, that the undersigned, the grantor, in
Reference that the undersigned word, grantor, in the
made to that certain deed, at the hour of 10:00 a.m. on April 7, 1995, in the presence of the grantor, as
er, E. Catterton, and according with the state, on owing an obligation,
Margaret Catterton, as a deed of trust, establishing the performance of
grantor, as trustee, in front of the steps of the Klamath County Trust Deed, and the
P. S. 18-733, which is secured by
P. S. 18-733, in front of the steps of the Klamath County Trust Deed, and the
favor of first Bank National County Court, words, "Trustee," and
National Association, N/A, in the City of Klamath, Oregon, and the
a U.S. Bank National Bank, Falls, County of their respective suc-
Association, as bank, Klamath, State of Oregon, in interest, it
fiduciary, dated April 11, 1995, at public auction, any
1995, recorded April 12, 1995, to the highest bid,
1995, in the mortgage deed for cash, the interest, DATED November 6,
County of Klamath, in the said deed, 1995
County of Klamath, Oregon, as described real property,
and Book 182 of Page 1, which the grantor had Glenn H. Prohaska
1995, covering the following had power to convey: Trustee
of the described real of the time of the ex-
property situated in the County of the STATE OF OREGON,
said county and state, said trust deed, together, County of Multnomah)
to wit:
- Lot 2, in Block 1, in the City of Klamath, Oregon, as described real property,
of TRACT 182, according to the official plat
numbered on file in the office of the County Clerk
of Klamath Co.
Both the beneficiary and the trustee have elected to sell the
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 fore-
closure is made is gran-
tor's failure to pay
when due the following
sums:
\$4,151.62 Total amount
of monthly installments
due as of 9/15/98
\$210.00 Total late charge
due
\$4,361.62 TOTAL
AMOUNT REQUIRED
TO REINSTATE AS OF
9/15/98
By reason of said deed, and in addition to
default, the beneficiary paying said sums or
has declared all sums tendering the perfor-
mance necessary to
secured by said trust deed, the default, by
deed immediately due, paying all costs and ex-
penses, actually in-
curred in enforcing the
obligation and trust
deed, together with
trustee's and attorney's
fees not exceeding the
TOTAL amount provided by
said ORS 86.735,
AMOUNT DUE AS OF 9/15/98