

AT

1999 DEC -9 AM 10:05
AFFIDAVIT OF MAILING TRUSTEE'S
NOTICE OF SALE

Vol M99 Page 48473

RE: Trust Deed from

To

Grantor

SPACE RESERVED
FOR
RECORDER'S USE

Trustee

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

ASPEN TITLE & ESCROW, INC

ATTN: FORECLOSURE DEPARTMENT

STATE OF OREGON, County of Klamath) ss:I, Andrew A Patterson,

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

Deborah Hollenbeak & Sheryl Mc Lemore

2129 Hope Street
Klamath Falls, Oregon 97603

Carter-Jones Collection LLC

1143 Pine Street
Klamath Falls, Oregon 97601

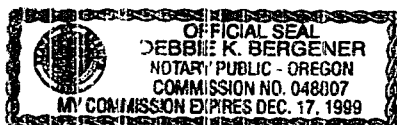
Wells Fargo Bank, N.A.

2809 South Sixth Street
Klamath Falls, Oregon 97603

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 Andrew A Patterson, ~~XXXXXX~~ 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 July 26, 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.



ANDREW A PATTERSON

Subscribed and sworn to before me on July 23, 1999

Notary Public for Oregon

My commission expires 12-17-99

ON

ASPEN 04049652
TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Deborah Hollenbeak and Sheryl Mclemore, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Robert Raby*, as beneficiary, dated September 23, 1994, recorded September 30, 1994, in the mortgage records of Klamath County, Oregon, in book ~~XXXXXX~~ No. M94 at page 30638, or as fee ~~XXXXXX~~ No. 88995 (indicate which), covering the following described real property situated in said county and state, to-wit:

See attached Exhibit "A"

*Assigned on May 20, 1999 and recorded on June 1, 1999 by instrument M99 Page 21473
See attached Exhibit "B".

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:

Balance of monthly installments of not less than \$250.65 due from August 5, 1998 to present; and subsequent installments of like amounts; subsequent amounts for assessments due under the terms and provisions of the Note of Trust Deed.

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: \$15,502.77 plus interest, late charges and assessments, thereon from August 5, 1998 at the rate of Eight (8.750%) point seven five percent per annum until paid and all sums expended by the beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 13, 1999, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Front entrance to Aspen Title & Escrow, Inc., located at 525 Main 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 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 July 23, 1999

ANDREW A PATTERSON

Trustee

State of Oregon, County of Klamath ss:

I, the undersigned, certify that I am the ~~XXXXXX~~ the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

~~XXXXXX~~ 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:

EXHIBIT "A"

A portion of the SE 1/4 NW 1/4 Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the South boundary of said SE 1/4 NW 1/4 495 feet East of the Southwest corner of said SE 1/4 NW 1/4; thence North and parallel to the West line of said SE 1/4 NW 1/4, 720 feet to the Southwest corner of the tract herein conveyed, being the place of beginning of this description; thence from said place of beginning East and parallel to the North line of said SE 1/4 NW 1/4, 165 feet; thence North and parallel to the West line of said SE 1/4 NW 1/4, 100 feet; thence West and parallel to the North line of said SE 1/4 NW 1/4, 165 feet; thence South and parallel to the West line of said SE 1/4 NW 1/4, 100 feet to the point of beginning.

LESS Hope Street and that portion described in Deed Volume 351 at Page 629, all being in Klamath County, Oregon.

Tax Acct. No.: 3909-2BD-5300 Key No.: 517621