

# Affidavit of Publication

41881

STATE OF OREGON,  
COUNTY OF KLAMATH

Vol. M84 Page 17143

(COPY OF NOTICE TO BE PASTED HERE)

PH 2 15  
204 101

I, Sarah L. Parsons, Office Manager  
being first duly sworn, depose and say that

I am the principal clerk of the publisher of  
the Herald and News

a newspaper of general circulation, as  
defined by Chapter 193 ORS, printed and  
published at Klamath Falls in the aforesaid  
county and state; that the

#118-Trustee's Sale - Whytal

a printed copy of which is hereto annexed,  
was published in the entire issue of said  
newspaper for four

~~successive and consecutive weeks or days~~  
(4 insertion s) in the following issue s: —

- August 9, 1984
- August 16, 1984
- August 23, 1984
- August 30, 1984

Total Cost: \$345.80  
Sarah L. Parsons

Subscribed and sworn to before me this 30  
day of August 1984

Lita Backa  
Notary Public of Oregon

My commission expires Jan 15 86

#3168

**TRUSTEE'S NOTICE OF SALE**  
Reference is made to that certain trust deed made by JAMES R. ADAIR, as grantor, to KLAMATH COUNTY TITLE COMPANY, as trustee, in favor of ESTATE OF B. MARGUERITE WHYTAL, as beneficiary, dated March 6, 1981, recorded March 18, 1981 in the mortgage records of Klamath County, Oregon, in volume No. M81 at page 4972, covering the following described real property situated in said county and state, to-wit:

**DESCRIPTION**  
**PARCEL 1:**  
Beginning at the most Westerly corner of a parcel of land conveyed by Kincaid to Lillard as described in a deed recorded in Klamath County Deed Records, Volume 114 page 586, which point of beginning, is on the Northerly right of way line of Lakeshore Drive and is South 75°29' East a distance of 118.42 feet from the most Northerly corner of Lot 26 in Ouse Kila Homesites, thence South 45°03' East a distance of 36.78 feet; thence Southeastly along the arc of a curve which designates the Northerly right of way line of said Lakeshore Drive, whose radius is 380.9 feet in length, a distance of 163.22 feet; thence North 25°00' East a distance of 200 feet, more or less, to the shore-line of Upper Klamath Lake; thence Westerly along said shore-line a distance of 150 feet, more or less, to a point which is North 48°43' East from the point of beginning; thence South 48°43' West, a distance of 136 feet, more or less, to the point of beginning, being a parcel of land in the NE 1/4 NE 1/4 of Section 26, Township 38 South, Range 8 East of the Willamette Meridian.

**PARCEL 2:**  
Beginning at a point on the East right of way line of Secondary Highway No. 421 which lies North 89°59' East (this bearing is South 89°57' East in Lakewood Heights) a distance of 1375.08 feet and South 44°08' East along the East right of way line of the Highway a distance of 78.29 feet from the iron pin which marks the quarter section corner common to Sections 23 and 26, Township 38 South, Range 8 East of the Willamette Meridian in Klamath County, Oregon (note this point of beginning marks the most Westerly corner of the tract described on page 531, Volume 164, Deed records of Klamath County, Oregon) and running thence North 48°43' East along the Northwesterly line of the above noted tract a distance of 138.5 feet to a point on the shore line of Upper Klamath Lake; thence North 66°17' West along the shore line of Upper Klamath Lake a distance of 12.76 feet to an iron pin; thence South 43°45' West a distance of 133.6 feet, more or less, to the point of beginning, said parcel being in Section 23, Township 38 South, Range 8 East of the Willamette Meridian and Section 26, Township 38 South, Range 8 East of the Willamette Meridian.

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 Section 86.735(3) of Oregon Revised

Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums: The entire principal balance and accrued interest thereon which became due and payable on April 1, 1984. By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and payable, said sums being the following, to-wit: \$181,000.00, plus interest from March 4, 1981 through March 31, 1984 in the sum of \$20,278.06, plus interest on the sum of \$181,000.00 at the rate of 12% per annum from April 1, 1984, until paid, plus late charges in the amount of \$20.12.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 13, 1984, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the Front entrance of the 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 him of the said trust deed, together with any interest which the grantor or his 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 Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred) together with costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.

In construing this notice, the masculine gender includes the feminine and the neuter, 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; the words "trustee" and "beneficiary" include their respective successors in interest, if any.  
DATED June 5, 1984  
ANDREW H. WINFREE, Successor Trustee,  
421 S.W. Sixth Avenue, Suite 1100, Portland,  
Oregon 97204  
#118, Aug. 9, 16, 23, 30 1984

AFTER RECORDING RETURN TO:

Andrew H. Winfree  
421 S. W. Sixth Avenue  
Portland, Oregon 97204

STATE OF OREGON: COUNTY OF KLAMATH:ss  
I hereby certify that the within instrument was received and filed for  
record on the 4th day of October A.D., 1984 at 2:15 o'clock P M,  
and duly recorded in Vol M84, of Mortgages on page 17143.

EVELYN BIEHN, COUNTY CLERK  
by: Pam Smith, Deputy

Fee: \$ 4.00 Index: \$1.00