

# Affidavit of Publication

45448

STATE OF OREGON,  
COUNTY OF KLAMATH

Vol. M85 Page 1577

(COPY OF NOTICE TO BE PASTED HERE)

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

429-Notice of Default -

Schneider

a printed copy of which is hereto annexed,

was published in the entire issue of said

newspaper for four

~~times and consecutive weeks~~

(4 insertion s) in the following issue s: —

December 19, 1984

December 26, 1984

January 2, 1985

January 9, 1985

Total Cost: \$452.20

Sarah L. Parsons

Subscribed and sworn to before me this 9

day of January 19 85

[Signature]  
Notary Public of Oregon

My commission expires Jan 15 1986

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Alan Schneider, as grantor, to Mountain Title Company, as trustee, in favor of Kenneth H. Kligman and Linda J. Kligman, husband and wife, Thomas A. Cirico and Gertrude A. Cirico, husband and wife, as beneficiary, dated December 29, 1981, recorded December 29, 1981, in the mortgage records of Klamath County, Oregon, in book/leaf/volume No. M-81 at page 22035, covering the following described real property situated in said county and state, to-wit:

The following described real property is situated in Klamath County, Oregon, being more particularly described as follows:

A tract of real property in Government Lot Numbers 32 and 29 in Section 16, Township 35 South, Range 7 East of the Willamette Meridian, particularly described as follows:

Beginning at the quarter section corner on the South boundary of Section 16, Township 35 South, Range 7 East of the Willamette Meridian; thence North along the center line of Section 16, a distance of 1320.0 feet, more or less, to the Northwest corner of government Lot Number 33, which corner is monumented with a 3/4 inch iron pipe; thence East along the North boundary of Lot 33, a distance of 323.30 feet, more or less, to a point on the Easterly right of way boundary of U.S. Highway No. 97, which point is monumented with a 3/4 inch iron pipe; thence South 2° 22' West along said right of way boundary of 323.30 feet to a 3/4 inch iron pipe marking the Northwest corner of that parcel of land recorded in Volume 363 at page 58 of Deed Records of Klamath County, Oregon; thence following along the bounds of said parcel of land, North 62° 07' East, 429.30 feet; thence East a distance of 454.20 feet; thence South a distance of 95.00 feet; thence East 107.27 feet; thence leaving said bounds and bearing North 41° 34' East 155.48 feet to a 1/2 inch steel rod which marks the Northerly corner of that tract of land described in Volume M69 at page 8199, Microfilm Records of Klamath County, Oregon; and amended description thereof; thence North 51° 10' West 56 feet to the South line of a roadway and being the true point of beginning of this description; thence South 51° 10' East along the Easterly boundary of said tract of land in M69 at page 8199, Microfilm Records of Klamath County, Oregon; a distance of 784.00 feet, more or less, to the water line of Williamson River; thence North 20° 47' East along said water line a distance of 143 feet; thence in a Northwesterly direction 782.5 feet, more or less, to a point on the Southerly line of a roadway and that is also North 45° 50' East 332.7 feet from the true point of beginning; thence South 45° 50' West 132.7 feet to a 1/2 inch steel rod to the point of beginning.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:  
The right for ingress and egress as set forth as follows:  
"ALSO the right to use and maintain an existing roadway for ingress and egress to and from the land above described from U.S. Highway No. 97, the centerline of said roadway being particularly described as follows:  
Beginning at a 3/4 inch iron pipe at the intersection of the Easterly right of way boundary of U.S. Highway No. 97 and the North boundary of Lot 33, Section 16, Township 35 South, Range 7 East of the Willamette Meridian; thence South 2° 22' West along said right of way boundary a distance of 378.4 feet to the true point of beginning of this description; thence North 73° 54' 40" East a distance of 372.30 feet to a point which bears

South 20° 00' 156" from the North boundary of Lot 33; thence East parallel with the North boundary of Lots 32 and 33 a distance of 352.87 feet, more or less, to a point from which a line bearing North 45° 50' East will be parallel with and 20.0 feet Northerly from the North boundary of land being conveyed; thence North 45° 50' East, parallel with and lying 20.0 feet Northerly of the North boundary of land being conveyed, a distance of 335.3 feet.

Recorded in the Deed of Records in Klamath County, Oregon, Mountain Title Company has resigned as Trustee on this obligation and the beneficiaries have appointed Park & Ratliff, 228 North 7th Street, Klamath Falls, Oregon, as Successor Trustee.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary, and no appointments of a successor trustee have been made except as recorded in the mortgage records of the county or counties in which the above described real property is situated; further, that no action, suit or proceeding has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or if such action or proceeding has been instituted, such action or proceeding has been dismissed.

There is a default by the grantor or other person owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale, in the event of default of such provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

June, July and August, 1984 payments in the amount of \$320.00 each, plus interest at the rate of ten percent per annum from 5/14/84, until paid, together with late charges for said months in the amount of \$30.00.

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:

The sum of \$11,735.66, plus interest at the rate of ten percent per annum from 5/14/84, until paid, together with late charges in the amount of \$30.00.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Section 86.705 to 86.795, and to cause to be held at public auction to the highest bidder for cash the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 10:00 o'clock, A.M. Standard Time as established by Section 187.110 of Oregon Revised Statutes on January 31, 1985, at the following place: Klamath County Courthouse in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee for said sale.

STATE OF OREGON, COUNTY OF KLAMATH: ss

I hereby certify that the within instrument was received and filed for record on the 10th day of Sept. A.D. 1984 at 2:48 o'clock P.M. and duly recorded in Vol. M84 of Mortgages on page 1538.

EVELYN BIEHN, COUNTY CLERK  
By: PAM SMITH, Deputy  
(429-Dec. 19, 26, 1984, Jan. 2, 9, 1985)

STATE OF OREGON, )

County of Klamath )

Filed for record at request of

on this 28th day of January A.D. 19 85

at 4:21 o'clock P M, and duly

recorded in Vol. M85 of Mortgages

Page 1577

EVELYN BIEHN, County Clerk

By: Pam Smith Deputy

Fee \$5.00

AFTER RECORDING RETURN TO:  
Parks & Ratliff  
228 North 7th Street  
Klamath Falls, OR 97601