

Aspen 32845

Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH

ss.

I, Deanna Azevedo, 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 _____

#441 Trustees sale-Beary

a printed copy of which is hereto annexed,

was published in the entire issue of said

newspaper for four~~times and no less than once in every~~(4 insertion s) in the following issue s: _____Jan. 31, 1989Feb. 7, 1989Feb. 14, 1989Feb. 21, 1989Total Cost: \$255.68Deanna AzevedoSubscribed and sworn to before me this 21day of Feb 1989[Signature]
Notary Public of OregonMy commission expires Jan 15 1990

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Sidney C. Beary & Lura J. Beary, husband and wife, as grantor, to Mountain Title Company, an Oregon Corporation, as trustee, in favor of Town & Country Mortgage, Inc., an Oregon Corporation, as beneficiary, dated July 14, 1986, recorded July 16, 1986 in the mortgage records of Klamath County, Oregon, in book No. M-86 at page 12473 covering the following described real property situated in said county and state, to-wit:

Lots 18 and 19, POOLE HOME SITES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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:

Arrearage in the sum of \$7,634.38 as of November 11, 1988, plus taxes, liens, assessments, attorney's and trustee's fees, and interest due at the time of reinstatement or sale.

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:

Payoff in the sum of \$55,790.79 as of November 11, 1988, plus taxes, liens, assessments, attorney's and trustee's fees, and interest incurred by beneficiary or its assigns after October 31, 1988.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 4, 1989, at the hour of 10:00 o'clock A.M., in accord with the

standard of time established by ORS 187.110, at Main Entrance of the Klamath County Courthouse, 316 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 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 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 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, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED November 11, 1988

JAMES C. WAGGONER

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.

Dennis M. Paterson

Attorney for said Trustee

#441 Jan. 31, Feb. 7, 14, 21, 1989

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

Aspen Title Co.

on this 23rd day of March A.D., 19 89at 3:43 o'clock P.M. and duly recordedin Vol. M89 of Mortgages Page 4939

Evelyn Biehn County Clerk

By Douline Mulendore

Deputy.

Fee, \$8.00

Return: A.T.C.