

Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH

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

LEGAL NOTICE #578

TRUSTEE'S SALE-BROOKS

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

(4 insertion s) in the following issue s:

APRIL 6, 1989

APRIL 13, 1989

APRIL 20, 1989

APRIL 27, 1989

Total Cost: \$301.92

Deanna Azevedo

Subscribed and sworn to before me this 27

day of APRIL 19 89

Lita D. Bieh
Notary Public of Oregon

My commission expires APRIL 15 19 90

(COPY OF NOTICE TO BE PASTED HERE)

AMENDED TRUSTEE'S NOTICE OF SALE (After Release From Stay)

Reference is made to that certain trust deed made by WILLIAM P. BROOKS and CAROL F. BROOKS, as grantor to PIONEER NATIONAL TITLE INSURANCE COMPANY, as trustee, in favor of CENTRAL FEDERAL SAVINGS BANK, as beneficiary, dated October 16, 1979, recorded October 23, 1979, in the mortgage records of Klamath County, Oregon in Book No. M-79 at Page 24901, covering the described real property in said county and state, to-wit:

LOTS 11 and 12, BLOCK 37, MALIN, IN THE COUNTY OF KLAMATH, STATE OF 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:

Monthly payments in the sum of \$297.91 from September 1, 1987 through January 1, 1988, and in the sum of \$429.08 from February 1, 1988, together with all fees, costs, and/or disbursements incurred, paid and/or assessed by the beneficiary and/or trustee, their employees, agents or assigns.

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: \$27,627.16, with interest thereon at the rate of 10.5% per annum from August 1, 1987, until paid; together with all fees, costs and/or disbursements incurred, paid and/or assessed by the beneficiary and/or trustee, their employees, agents or assigns.

The notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on August 31, 1988, at 1:00 PM, in accord with the standard of time established by ORS 187.110, at in the City of Klamath Falls, County of KLAMATH, State of Oregon; however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on March 7, 1989.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 17, 1989, at 1:00 PM in accord with the standard of time established by ORS 187.110 at in the City of Klamath Falls, County of KLAMATH, State of Oregon, (which is the new date, time and place set for sale) sell at public auction to the highest bidder foreclose the interest in the said described real property which the grantor has 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 reinstate 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 of 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 amount 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.

KELLY D. SUTHERLAND,

Successor Trustee

By Kelly D. Sutherland

Dated 3/30/89

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 as amended.

Kelly D. Sutherland

Attorney for said Trustee

#578 Apr. 6, 13, 20, 27, 1989

Return to

SHAPIRO & KREISMAN
SUITE 310
4380 S.W. MACADAM
PORTLAND, OR 97201
(503) 227-4666

RECEIVED

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

Klamath County Title Co.

on this 15th day of May A.D., 19 89
at 2:39 o'clock P.M. and duly recorded
in Vol. M89 of Mortgages Page 8325

Evelyn Biehn County Clerk

By Deanna Azevedo

Fee, \$8.00

Deputy.

89 MAY 15 PM 2 39