

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

LEGAL #887

TRUSTEE'S SALE-HEATON

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: —

JULY 3, 1989

JULY 10, 1989

JULY 17, 1989

JULY 24, 1989

Total Cost: \$255.68

Deanna L. Azevedo

Subscribed and sworn to before me this 24

day of JULY, 19 89

[Signature]
Notary Public of Oregon

My commission expires Jan 15 1990

(COPY OF NOTICE TO BE PASTED HERE)

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by DONNIE D. HEATON, JR. and BERNADETTE C. HEATON, husband and wife, as grantors, to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, as trustee, in favor of DIANE L. MATTSON, TRUSTEE FOR ESTATE OF PHYLLIS MARIE MATTSON TRUST, as beneficiary, dated February 13, 1984, recorded February 24, 1986, in the mortgage records of Klamath County, Oregon, in book M-86 at page 3137, covering the following described real property situated in said county and state, to-wit:

Lot 3 and 4, Block 14, MERRILL, 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 (41.735(3)); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly installments of principal and interest due for the months of June, July, August, September, October, November, and December of 1987, and January thru December, inclusive, of 1988; and January, February and March of 1989, in the amount of \$298.19 each; plus two (2) payments of \$1,600.00 each; and subsequent installments of like amounts; subsequent amounts for assessments due under the terms and provisions of the Note and 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:

\$3,636.20, plus interest and late charges, thereon from January 4, 1988, at the rate of TEN (10%) PER CENT PER ANNUM until paid and all sums expended by the Beneficiary pursuant to said terms and provisions of the Note and Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 18, 1989, at the hour of 10:00 o'clock A.M., in accordance with the standard of time established by ORS 187.110, at Aspen Title & Escrow, Inc., 603 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 86.733 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 and 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 86.733.

In compliance with this notice, the mortgage lender 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 word "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED April 7, 1989

ASPEN TITLE & ESCROW, INC.

BY Janice P. Patterson, Successor-Trustee

Notary Public, State of Oregon

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

Aspen Title Co.

on this 17th day of Aug. A.D. 19 89
at 3:33 o'clock PM. and duly recorded

in Vol. M89 of Mortgages Page 15365
Evelyn Biehn
County Clerk

By Deanna Azevedo

Fee \$8.00

Deputy.