

Aspen 04033504

# 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 #1181

ASPEN FORECLOSURE

a printed copy of which is hereto annexed,

was published in the entire issue of said

newspaper for FOUR

(4 insertions) in the following issues:

NOV. 24, 1989

DEC. 1, 1989

DEC. 8, 1989

DEC. 15, 1989

Total Cost: \$250.24

Deanna Azevedo

Subscribed and sworn to before me this 15TH

day of DECEMBER, 1989

Lita Baer  
Notary Public of Oregon

My commission expires Jan 25, 1990

(COPY OF NOTICE TO BE PASTED HERE)

ASPEN FORECLOSURE 04033504

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by JOSEPH U. ARTERBURY and HELEN U. ARTERBURY, husband and wife, as grantor, to ASPEN TITLE as trustee, in favor of TRAN SAMERICA FINANCIAL SERVICES, as beneficiary, dated April 25, 1986, recorded April 28, 1986, in the mortgage records of Klamath County, Oregon, in book N: M-84 at page 731.

covering the following described real property situated in said county and state, to-wit: Lots 13 and 14, Block 11, ST FRANCIS PARK, in the County of Klamath, State of Oregon. CODE 4: ACP 3907-2CA TL 1300 Key No. 519201

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 installments of principal and interest and late charges, hereafter from November and December of 1988, January, February, March, April, May, June, July and August of 1989 in amounts of \$250.00 each; and subsequent in 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: \$26,117.86 plus interest and late charges, thereon from October 30, 1989, at the rate of EIGHTEEN AND ONE-HALF (18.5%) PER CENT PER ANNUM until paid and all sums expended by the beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 8, 1990, at the hour of 10:00 o'clock, A.M., in accordance with the standard of time established by ORS 137.110, at ASPEN TITLE & ESCROW, INC., 600 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 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 for the trustee. Notice is further given that any person named to ORS 86.731 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding discontinued and the trust deed reinstated by payment to the beneficiary of the entire amount then due, more than such person or 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 rendering the performance required under the obligation of trust deed, and in addition to paying said sums, by 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 and the plural, the word "grantor" includes the successors in interest to the grantor or 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 August 30, 1989  
ASPEN TITLE & ESCROW, INC.  
BY: Deanna Azevedo  
Trustee  
Noted Nov 24, Dec. 1, 8, 15, 1989

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

Aspen Title Co.

on this 5th day of Jan. A.D., 19 90  
at 10:49 o'clock A.M. and duly recorded  
in Vol. M90 of Mortgages Page 278

Evelyn Biehn County Clerk

By Pauline Mullender Deputy.

Fee, \$8.00