

Aspen Title 35401

Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATHI, 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 #2011

TRUSTEES NOTICE OF SALE

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:SEPT 7, 1990SEPT 14, 1990SEPT 21, 1990SEPT 28, 1990Total Cost: \$277.44Deanna AzevedoSubscribed and sworn to before me this 28THday of SEPTEMBER, 19 90

Notary Public of Oregon

My commission expires Jan 15 94

(COPY OF NOTICE TO BE PASTED HERE)

TRUSTEES NOTICE OF SALE
Reference is made to that certain trust deed made by Gary T. Whittle, as grantor, to Transamerica Title Insurance Company, its trustee, in favor of Equitable Savings and Loan Association, as beneficiary, dated February 10, 1978, recorded February 22, 1978, in the mortgage records of Klamath County, Oregon, in book No. M-78, page 1121, covering the following described real property situated in said county and state:

The South 1/2 of Lots 604 and 605, Block 103, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon. East 1/2 Main Street, Klamath Falls, Oregon 97601.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligation secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 81.725(3); the default for which the first charge is grantor's failure to pay when due the following sums: monthly payments of \$277.44 beginning 4-1-90 to 7-1-90; plus late charges of \$11.86 each month beginning 7-1-90; plus prior accrued late charges of \$39.31; together with title expense costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

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: \$15,701.43 with interest thereon at the rate of 9.75 percent per annum beginning 3-1-90 until paid; plus late charges of \$11.86 each month beginning 7-1-90 until paid; plus prior accrued late charges of \$39.31; together with title expense costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on November 14, 1990, at the hour of 11:00 o'clock A.M. in accord with the standard of time established by ORS 187.110, at 11:00 a.m. to make a public sale of the Klamath County Courthouse 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, 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 81.753 has the right, at any time prior to five days before the date set for the sale, to have this foreclosure proceeding dismissed and the trust deed nullified by payment to the beneficiary of the entire amount due (other than such portion of the principal as would not

then be due had 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 amounts provided by said ORS 81.753.

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 July 3, 1990

David E. Fennell, 5400 Columbia Center, 701 5th Avenue, Seattle, Washington 98104, (206) 623-7580, Trustee

State of Washington, County of King ss:

I, the undersigned, certify that the foregoing is a complete and exact copy of the original trustee's notice of sale.

David E. Fennell - Trustee

#2011 Sept. 7, 14, 21, 28, 1990

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Aspen Title co.

on this 26th day of Oct. A.D. 19 90
at 3:10 o'clock P M. and duly recorded
in Vol. M90 of Mortgages Page 21644

Evelyn Biehn County Clerk

By David E. Fennell

Deputy.

Fee, \$8.00

Return: ATC