

23265

Vol. m90 Page 23997

## 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 #2110

NOTICE OF DEFAULT

DEES/PARKER

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: \_\_\_\_\_OCTOBER 14, 1990OCTOBER 21, 1990OCTOBER 28, 1990NOVEMBER 4, 1990Total Cost: \$274.42

Subscribed and sworn to before me this \_\_\_\_\_ 4TH

day of NOVEMBER 19 90

Notary Public of Oregon

My commission expires \_\_\_\_\_

Return: Kosta & Spencer  
123 N. 4th St.  
Klamath Falls, Or. 97601

NOTICE OF DEFAULT  
AND ELECTION TO SELL

(C) Reference is made to that certain trust deed made by JOHN R. DEES and BARBARA S. DEES, as grantor, to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, as trustee, in favor of RUSSELL E. PARKER and MILDRED F. PARKER, as beneficiary, dated September 16, 1987, recorded September 16, 1987 in the mortgage records of Klamath County, Oregon, in volume No. M87 at page 16835 covering the following described real property situated in said county and state, to-wit:

The Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 8, Township 38 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFORE THE FOLLOWING:

All that portion of the SE 1/4 SW 1/4 SW 1/4 of Section 8, Township 39 South, Range 11 East of the Willamette Meridian, which lies Southerly and Westerly of the right of way of that certain roadway as described in Deed to Ivan E. Crumpacker and Lois E. Crumpacker, dated August 7, 1971, recorded February 22, 1972, in Deed Volume M72, page 1845, Microfilm Records of Klamath County, Oregon.

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 Section 84.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sum:

August 16, 1990 - \$301.78

As well as real property taxes when due and maintain insurance on the subject property.

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: \$25,380.20 plus fees and costs as allowed by law.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 14, 1990, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at 123 N. 4th 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 Section 84.733 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 Section 84.733 of Oregon Revised Statutes.

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 having an obligation the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED Sept. 6, 1990.

Michael Spencer, Successor Trustee  
State of Oregon, County of Klamath 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.

Michael Spencer  
Attorney for said Trustee  
#2110 Oct. 14, 21, 28, Nov. 4, 1990STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

Kosta &amp; Spencer

on this 3rd day of Dec. A.D. 19 90  
at 4:27 o'clock P M. and duly recorded  
in Vol. M90 of Mortgages Page 23997  
Evelyn Biehn, County Clerk  
By Lauren Mullendore

Fee, \$8.00

Deputy.