

# 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 & 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 #2331TRUSTEES NOTICE OF SALE/WHITTLE

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:JANUARY 18, 1991JANUARY 25, 1991FEBRUARY 1, 1991FEBRUARY 8, 1991Total Cost: \$266.56Deanna L. AzevedoSubscribed and sworn to before me this 8THday of FEBRUARY 19 91Keta Buckle

Notary Public of Oregon

My commission expires Jan 15 1994

Return: ATC

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Gary T. Whittle, as grantor, to Transamerica Title Insurance Company, as trustee, in favor of Equitable Savings and Loan Association, as beneficiary, dated February 8, 1978, recorded February 22, 1978, in the mortgage records of Klamath County, Oregon, in book No. M-78, at page 3321, covering the following described real property situated in said county and state, to-wit:

The South 80 feet of Lots 604 and 605, Block 103, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

Property Address: 830 East Main Street, Klamath Falls, Oregon 97601.

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 of \$277.66 beginning 4-1-90 to 11-1-90; plus late charges of \$11.86 each month beginning 11-1-90; plus accrued late charges of \$106.74; 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: \$15,702.45 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 11-1-90 until paid; plus prior accrued late charges of \$106.74; plus escrow advanced of \$151.59; 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 March 27, 1991, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at inside door to main lobby 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 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 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 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.

DATED November 15, 1990.

David E. Fennell, Trustee, 5400 Columbia Center, 701 5th Avenue, Seattle, Washington 98104, (206) 822-2580.

#2331 Jan. 18, Feb. 1, 8, 1991

STATE OF OREGON  
County of Klamath

Filed for record at request of:

Aspen Title Co.

on this 18th day of March A.D., 19 91  
at 3:25 o'clock P M. and duly recorded  
in Vol. M91 of Mortgages Page 4881

Evelyn Biehne, County Clerk

By Doreen Mueller

Fee, \$8.00

Deputy.