

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

aforsaid county and state; that the

LEGAL #2326

NOTICE OF DEFAULT & ELECTION TO SELL

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 17, 1991

JANUARY 24, 1991

JANUARY 31, 1991

FEBRUARY 7, 1991

Total Cost: \$310.08

Subscribed and sworn to before me this

7TH

day of

FEBRUARY

19 91

Notary Public of Oregon

My commission expires

19 94

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by DONALD G. HURST, SR. and CLINTON A. HURST, as grantor, to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, as trustee, in favor of CRAIG W. BRYANT, as beneficiary, dated January 20, 1988, recorded February 2, 1988, in the mortgage records of Klamath County, Oregon, in volume No. M88 at page 1473, covering the following described real property situated in said county and state, to-wit:

Beginning at the most Northwesterly corner of Block 4 of PELICAN CITY, OREGON, and running thence South 10 degrees 20' East along the Easterly right of way line of Lakeport Boulevard a distance of 93 feet to a point; thence North 79 degrees 40' East a distance of 79 feet to a point; thence North 10 degrees 20' West parallel to the Easterly right of way line of Lakeport Boulevard a distance of 47 feet to a point; thence North 79 degrees 40' East a distance of 59.38 feet to a point which lies on the line between Lots 3 and 4 of Block 4 of Pelican City, Oregon; thence Northerly along the line between Lots 3 and 4 of Block 4 of Pelican City, Oregon, a distance of 46 feet to the most Northeasterly corner of Lot 4, Block 4 of Pelican City, Oregon; thence South 79 degrees 40' West along the Southerly right of way line of Pelican Bay Street a distance of 137.79 feet, more or less, to the point of beginning; said tract being a portion of Lots 4, 5 and 6 in Block 4 of Pelican City, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Tax Account No.: 3809 019AC 01200

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 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sum:

March 5, 1989 \$140.00 and each month thereafter, as well as failure to pay real property taxes and maintain insurance.

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: \$8,754.60, plus interest from June 20, 1990, plus fees and costs as allowed by law.

WHEREFORE, notice hereby is given that the undersigned successor trustee will on May 28, 1991, 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 86.753 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 86.753 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 owing 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 January 14, 1991.

Michael L. Spencer

Successor Trustee

State of Oregon, County of Klamath.

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 L. Spencer

Attorney for said Trustee.

#2326 Jan. 17, 24, 31, Feb. 7, 1991

Return: Kosta & Spencer

123 N. 4th St.

Klamath Falls, Or. 97601

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Kosta & Spencer

on this 1st day of May A.D., 19 91

at 1:21 o'clock P.M. and duly recorded

in Vol. M91 of Mortgages Page 8048

Evelyn Biehn County Clerk

By Raeline Mullendore

Deputy.

Fee. \$8.00