

38799

Vol. m 91 Page 26382

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, SARAH PARSONS

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 #4002TRUSTEE'S NOTICE OF SALEAGNES C PARKS

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:NOVEMBER 5, 12, 19, 26, 1991Total Cost: \$326.40Subscribed and sworn to before me this 26THday of NOVEMBER 19 91My commission expires 1994

Notary Public of Oregon

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by KENNETH KENDALL, as grantor, to MOUNTAIN TITLE COMPANY/MICHAEL L. BRANT, Successor, as trustee, in favor of AGNES C. PARKS, as beneficiary, dated April 8, 1983, recorded April 11, 1983, in the mortgage records of Klamath County, Oregon, in book/leaf, volume No. M 83 at page 5353, or as microfilm No. 22274, covering the following described real property situated in said county and state, to-wit:

The Southerly 65 feet of Lot 46, FAIR ACRES SUBDIVISION, NO. 1, in the County of Klamath, State of Oregon, EXCEPTING THEREFROM the Westerly 5 feet lying within boundaries of Kane Street.

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 \$122 due since 10/26/87; with a like payment due each month thereafter until paid in full plus interest on the unpaid principal balance at the rate of 10% per annum from 9/8/87; the date of the last payment, in a total sum of \$4,034.36 through 4/15/91. Said interest accrues at the rate of \$3.07 per day. The unpaid principal balance due as of 4/15/91 is \$11,198.02.

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:

The principal amount of \$11,198.02 plus interest thereon at the rate of 10% per annum in the amount of \$4,034.36, which said interest accrues at the rate of \$3.07 per day from 4/15/91 until paid in full; plus attorney's fees, taxes due as of 1/15/91 in the amount of \$4,768.62 plus int. and costs.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 13, 1992, at the hour of 10 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at front steps of the Klamath County Courthouse, 316 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 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 August 16, 1991
Michael L. Brand
Successor Trustee
#4002 Nov. 5, 12, 19, 26, 1991

STATE OF OREGON, County of Klamath) ss.

I certify that the within instrument was received for record on the 18th day of December, 1991, at 11:52 o'clock A.m., and recorded in Volume M 91 on page 26382 or as instrument number 38799, Record of Mortgages of said county.

Witness my hand and seal of County affixed.

After recording, return:

MICHAEL L. BRANT

ATTORNEY AT LAW

325 MAIN STREET

KLAMATH FALLS, OR 97601

EVELYN BIEHN, County Clerk

By: Pauline Muehlendore

Deputy

Fee \$8.00