

39395

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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 #2924

TRUSTEE'S 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:

AUGUST 5, 1991

AUGUST 12, 1991

AUGUST 19, 1991

AUGUST 26, 1991

Total Cost: \$258.40

Subscribed and sworn to before me this 26TH

day of AUGUST 19 92

Notary Public of Oregon
My commission expires Jan 15 19 94

TRUSTEE'S NOTICE OF SALE
Reference is made to that certain trust deed
made by ROY FRANCIS PIERCE and RACHEL
PIERCE, husband and wife, as grantor, to
MOUNTAIN TITLE COMPANY, as trustee, in
favor of E.S. NIDA and LEITA E. NIDA, as
beneficiary, dated March 9, 1983, recorded
March 9, 1983, in the mortgage records of
Klamath County, Oregon, in volume No. M-83 at
page 3405, covering the following described real
property situated in said county and state, to-
wit:

PARCEL 1

The West one-half of Lot 5, Block 35, HILLSIDE
ADDITION to the City of Klamath Falls, accord-
ing to the official plat thereof on file in the office
of the County Clerk of Klamath County, Oregon,
EXCEPTING THEREFROM the North 5 feet
and the Easterly 9 feet of the Westerly 89 feet of
said Lot 5.

PARCEL 2

The West one-half of Lot 6 in Block 35 of
HILLSIDE ADDITION to the City of Klamath
Falls, according to the official plat thereof on file
in the office of the County Clerk of Klamath
County, Oregon.

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:
\$9,348.97 in prior real estate taxes and costs paid
by the beneficiary to Klamath County on or
about April 15, 1991, plus real estate taxes for the
fiscal year 1990-91 in the amount of \$78.38 plus
interest.

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:
\$28,714.98 principal plus interest in the amount of
10 percent per annum from July 24, 1991, plus
real estate taxes and costs in the amount of
\$9,348.97 owing to beneficiary, plus taxes for the
fiscal year 1990-91 in the amount of \$78.38 plus
interest.

WHEREFORE, notice hereby is given that the
undersigned trustee will on December 17, 1991,
at the hour of 10:00 o'clock A.M., in accord with
the standard of time established by ORS 187.110,
at Klamath County Courthouse front steps, 316
Main Street in the City of Klamath Falls, County
of Klamath, State of Oregon, sell at public auc-
tion 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 fur-
ther given that any person named in ORS 86.753
has the right, at any time prior to five days be-
fore 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 por-
tion 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 re-
quired 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 singu-
lar includes the plural, the word "grantor" in-
cludes 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 suc-
cessors in interest, if any.

DATED JULY 29, 1991

Richard Fairclo

Successor Trustee

272 AUG. 5, 12, 19, 26, 1991

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Richard Fairclo the 3rd day
of Jan. A.D., 19 92 at 9:55 o'clock A.M., and duly recorded in Vol. M92
of Mortgages on Page 144

Evelyn Biehn, County Clerk

By Deanna Azevedo

FEE \$8.00

Return: Richard Fairclo

280 Main, Klamath Falls, Or. 97601