

OK

**39692**

## TRUSTEE'S NOTICE OF SALE

Vol. m92 Page 632 

Reference is made to that certain trust deed made by LINDA S. NEWLAND

.....  
MOUNTAIN TITLE COMPANY

., as grantor, to

in favor of **DAN C. ALLEN**

....., as trustee,

IN FAVOR OF .....  
dated MAY 31

**as beneficiary,**

....., 1989,  
KLAMATH County, Or

.....  
JUNE 1

....., as beneficiary,  
 , 19.89, in the mortgage records of

at page 9614

~~For file/instrument/microfilm/reel(s) No. \_\_\_\_\_, pages \_\_\_\_\_, starting the following described item  
properly situated, as set forth, and state to-wit:~~

~~XXXXXXXXXXXXXXXXXXXX~~ Beneficial interest of said trust deed having been assigned to TRUSTEE OF THE ALLEN FAMILY 1989 TRUST by instrument dated May 31, 1989, and recorded June 1, 1989, at M89, page 9614, Microfilm Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to wit: Lots 3, 4, 5, 27 and 28, Block 69, KLAMATH FALLS FOREST ESTATES, HIGHWAY 66 UNIT PLAT NO. 3, 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:

Payments in the amount of \$747.90 due December 12, 1991, and each month thereafter plus unpaid interest on the principal at 10% per annum including the amount of \$330.84 through January 3, 1992, plus real estate taxes for the fiscal year 1989-90 in the following amounts: \$121.17 plus interest, \$95.75 plus interest, 1,592.28 plus interest, \$72.17 plus interest, and \$85.74 plus interest; plus real estate taxes for the fiscal year 1990-1991 in the following amounts: \$130.54 plus interest, \$94.01 plus interest, \$1,262.64 plus interest, \$62.40 plus interest, and \$62.40 plus interest; plus real estate taxes for the fiscal year 1991-1992 are a lien due and payable in the following amounts: \$173.67 plus interest, \$116.27 plus interest, \$1,567.29 plus interest, \$76.97 plus interest, and \$76.97 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:

\$75,096.59 plus interest on principal of \$73,718.39 at the rate of \$20.1416 per day from January 3, 1992, plus real estate taxes for the fiscal year 1989-90 in the following amounts: \$121.17 plus interest, \$95.75 plus interest, 1,592.28 plus interest, \$72.17 plus interest, and \$85.74 plus interest; plus real estate taxes for the fiscal year 1990-1991 in the following amounts: \$130.54 plus interest, \$94.01 plus interest, \$1,262.64 plus interest, \$62.40 plus interest, and \$62.40 plus interest; plus real estate taxes for the fiscal year 1991-1992 are a lien due and payable in the following amounts: \$173.67 plus interest, \$116.27 plus interest, \$1,567.29 plus interest, \$76.97 plus interest, and \$76.97 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 27, 1992, at the hour of 10:00 o'clock, AM, 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 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 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 constructing this notice, the provisions of ORS 86.753 shall apply.

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** ..... January 9 ..... 19 92

Richard Fairclo

**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.

**Attorney for said Trustee**

**SERVE:**

**If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.**

STATE OF OREGON: COUNTY OF KLAMATH: SS

Filed for record at request of Richard Fairclo  
of Kam/ A.D., 19 92 at 4:34 o'clock P.M., and duly recorded in Vol. M92,  
of Mortgages on Page 632

**FEE \$8.00**

Evelyn Biehn, County Clerk

By Pauline M. B. [illegible]