39967 37319 Vol. M92 Page 1127

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, SARAH PARSONS, 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 #4054

TRUSTEE'S NOTICE

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for

FIVE

(5 insertions) in the following issues:

NOVEMBER 29, 1991

DECEMBER 6, 13, 20, 1991

Total Cost: $312.80

Sarah L. Parsons

Subscribed and sworn to before me this 20TH day of DECEMBER 19 91

Rita Baska

Notary Public of Oregon

My commission expires Jan 2 1994

'92 JAN 17 PM 3 47

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by DANIEL S. SCHOENTHALER, as grantor, to ASPEN TITLE & ESCROW, INC., as trustee, in favor of IRWIN O. CONE AND GWENDOLYN M. CONE, HUSBAND AND WIFE, as beneficiary, dated July 18, 1990, recorded August 17, 1990, in the mortgage records of Klamath County, Oregon, in book No. M-90 at page 17116, covering the following described real property situated in said county and state, to-wit:

Lot 10, Block 3, Tract No. 1065, IRISH BEND, in the County of Klamath, State of Oregon.

CODE 138 MAP 3507-20BA TL 2400

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 principal and interest due for the month of December of 1990, and January, February, March, April, May, June, July, and August of 1991 in the amounts of $74.36 each; and subsequent installments of like amounts; Subsequent amounts for assessments due under the terms and provisions of the Note and Trust Deed.

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:

$3,342.52 plus interest and late charges thereon from November 21, 1990 at the rate of TEN (10%) PER CENT PER ANNUM until paid and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 22, 1992, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Aspen Title & Escrow, Inc., 525 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 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 30, 1991.

ASPEN TITLE & ESCROW, INC.

By: Andrew A. Patterson, Trustee

4487 (Nov. 29, Dec. 6, 13, 20, 1991)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 17th day of Jan. A.D., 19 92 at 3:47 o'clock P M., and duly recorded in Vol. M92, of Mortgages on Page 1127.

Evelyn Biehn County Clerk

By Pauline Mullendore

FEE $8.00

Return: ATC

Unofficial Copy