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MAR 5 1993

FILED
STATE OF OREGON
CLERK OF COURT
1993 MAR -9 PM 2:58

Affidavit of Publication

BY

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 #5090

NOTICE OF DEFAULT

AND 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 24, 31

FEBRUARY 7, 14, 1993

Total Cost: \$338.80

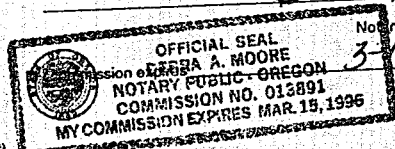
Sarah L. Parsons

Subscribed and sworn to before me this 14TH

day of FEBRUARY

19 93

Debra A. Moore



NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by FRANK E. SMITH, JR., IV, as grantor, to MT. TITLE CO. OF KLAMATH COUNTY, as trustee, in favor of JOHN WOODY, as beneficiary, dated June 5, 1990, recorded July 6, 1990, in the mortgage records of Klamath County, Oregon, in book/reel/ volume No. M90 at page 13350, covering the following described real property situated in said county and state, to-wit:

Lot 1, Block 13 of Sprague River Valley Acres, according to the official plat hereof 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 Section 86.733(3) of Oregon Revised Statutes. The Default for which the foreclosure is made is grantor's failure to pay when due the following sums:

lakes from 1992-1993 in the amount of \$142.49 plus interest which is due and owing. Payment of not less than \$100 per month from February 6, 1992 until the present.

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: \$2,488.46 as of January 31, 1992 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 12, 1993 at the hour of 10 a.m. Standard time, as established by Section 187.110, Oregon Revised Statutes, at 439 Pine 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 said described real property which the grantors had or had power to convey at the time of the execution by him of said trust deed, to satisfy the foregoing obligations thereby secured and the costs or their 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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: January 20, 1993

Scott D. MacArthur
Successor Trustee
#5090 Jan. 24, 31, Feb. 7, 14, 1993

Return: Kosta, Spencer & MacArthur
439 Pine, Klamath Falls, Or. 97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Kosta, Spencer & MacArthur the 10th day
of March A.D., 1993 at 9:03 o'clock A.M., and duly recorded in Vol. M93
of Mortgages on Page 4942

Evelyn Biehn County Clerk
By *Debra A. Moore*

FEE \$10.00