

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 #5629

NOTICE OF DEFAULT

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:

JULY 16, 23, 30, 1993

AUGUST 6, 1993

Total Cost: \$432.64

Sarah L. Parsons

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by JOHN ANTHONY THOMAS and RAN DALL L. HENDRICK, as grantors, to Mountain Title Company of Klamath County, as trustee, in favor of CHESTER DUNCAN and LEOTA DUNCAN, as beneficiaries, dated December 8, 1987, recorded December 21, 1987, in the mortgage records of Klamath County, Oregon, in book/ reel/ volume No. M87 at page 22616, covering the following described real property situated in said county and state, to-wit:

The NE 1/4 SE 1/4 of Section 17, Township 35 South, Range 13 East of the Willamette Meridian, 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 86.735(3) of Oregon Revised Statutes. The Default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Taxes from 1992-1993 in the amount of \$359.06, plus interest which is due and owing.

Taxes from 1991-1992 in the amount of \$350.33, plus interest which is due and owing.

Taxes from 1990-1991 in the amount of \$273.35, plus interest which is due and owing.

Payments in the amount of \$250 per month from March 1993, through 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: \$9,554.34 as of June 7, 1993 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 25, 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: July 13, 1993.

ICOLF D. MacArthur
successor Trustee

5629 July 16, 23, 30, Aug. 6, 1993

Subscribed and sworn to before me this _____

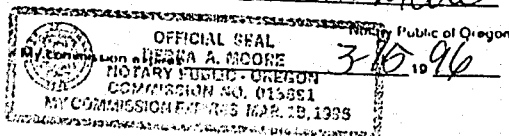
6TH

day of _____

AUGUST

19 93

Debra A. Moore



AFFIDAVIT OF MAILING NOTICE OF SALE IN LIEU OF SERVICE

22993

STATE OF OREGON, County of Klamath, ss:

I, Scott D. MacArthur, being first duly sworn, depose, say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the notice of sale by mailing a copy thereof by registered or certified mail to each of the following named persons at their respective last known addresses, to-wit:

NAME:

ADDRESS:

John Anthony Thomas

P.O. Box 812, Riverdale, CA 93656

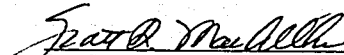
Randall L. Hendrick

4313 W. Walnut, Visalia, CA 93277

The foregoing includes any person, including the Department of Revenue or any other state agency, having alien or interest subsequent to the interest of the trustee in the trust deed if the lien or interest appears of record or the trustee or the beneficiary has actual notice of the lien or interest.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Scott D. MacArthur, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on June 4, 1993. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded and at least 90 days before the day fixed in said notice by the trustee for the trustee's sale. The original notice of sale was recorded on June 9, 1993 in the mortgage records of Klamath County at Vol. M93 at page 13349.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.


Scott D. MacArthur, Successor Trustee



I, Camille Krieger, do hereby certify that this 2th day of September, 1993.

(S.E.A.) My Commission Expires Sept. 22, 1996. Camille Krieger
Notary Public for Oregon. My Commission Expires: 9-22-96

**AFFIDAVIT OF MAILING
TRUSTEE'S NOTICE OF SALE
IN LIEU OF SERVICE**

RE: Trust Deed from
John Anthony Thomas and
Randall L. Hendrick,
Grantors
to

Chester Duncan and
Leota Duncan
Beneficiaries

STATE OF OREGON, County of Klamath)ss.

I certify that the within instrument received for record on the ____ day of _____, 19____, at ____ o'clock ____ M., and recorded in book/reel/ volume No. ____ on page ____ or as fee/file/instrument/microfilm/reception No. ____, Recorded of Deeds of said County.

Witness my hand and seal of County affixed.

By _____ Name _____ Title _____
Deputy _____

AFTER RECORDING RETURN TO:

Kosta, Spencer & MacArthur
439 Pine Street
Klamath Falls, OR 97601

AFFIDAVIT OF POSTING NOTICE OF SALE IN LIEU OF SERVICE

22994

STATE OF OREGON, County of Klamath) ss.

I, Elmo Anderson, being first duly sworn, depose and certify that:

At all times hereinafter mentioned, I was and now am, a resident of the State of Oregon, a competent person over the age of 18 years and not the beneficiary or his successor in interest name in the notice of sale given under the terms of that certain trust deed described in said notice.

I posted the Notice of Sale of the real property in the Notice of Sale posting said notice on the premises of *:

NAME:

ADDRESS:

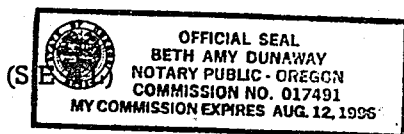
The N.E. 1/4 S.E. 1/4 of Section 17, Township 35 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon
Tax Account No. 3513-1700-1100

Each of the notices so posted was certified to be a true copy of the original notice of sale by Scott D. MacArthur, attorney for the trustee named in said notice; and was posted by me on June 15, 1993. Each of said notices was posted after the Notice of Default and Election to Sell by the trustee was recorded and at least 90 days before the day fixed in said notice by the trustee for the trustee's sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Elmo Anderson
Elmo Anderson

Subscribed and sworn to before me this 16th day of June, 1993.



Beth Amy Dunaway
Notary Public for Oregon
My Commission Expires: 8-12-96

CERTIFICATE OF POSTING

STATE OF OREGON, County of Klamath) ss.

I certify that the within instrument received for recording on the 9th day of Sept., 19 93, at 9:31 o'clock A.M., and recorded in book/reel/volume No. on page 22992 or as fee/file/instrument/microfilm/reception No. 67737, Record of Deeds of said County.

Witness my hand and seal of County affixed.

After Recording return to:
Kosta, Spencer & MacArthur
439 Pine Street
Klamath Falls, OR 97601

Evelyn Biehn, County Clerk
Name Title
By D. Andrew Mendenhall Deputy

Fee \$20.00