

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 #6102

NOTICE OF DEFAULT AND ELECTION

TO SELL AND 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:

FEBRUARY 24, 1994

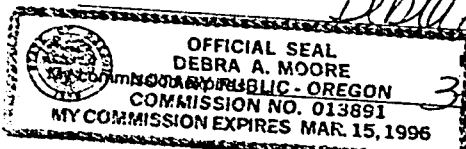
MARCH 3, 10, 17, 1994

Total Cost: \$729.60

Sarah R. Parsons

Subscribed and sworn to before me this 17th

day of MARCH



Notary Public of Oregon

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm. M. Ganong
of May A.D., 19 94 at 10:04 o'clock A M., and duly recorded in Vol. M94
of Mortgages on Page 15767

FEE \$10.00

Return: Wm.M. Ganong, 635 Main St
Klamath Falls, Or. 97601

NOTICE OF
DEFAULT AND
ELECTION TO SELL
AND TRUSTEE'S
NOTICE OF SALE
Pursuant to ORS
86.705-795, the under-
signed Trustee and the
Beneficiary have elect-
ed to foreclose the fol-
lowing described Trust
Deed. In the manner
provided by said sta-
tute.

1. The names of
the Grantor, Trustee
and Beneficiary named
in the subject Trust
Deed are:

A. Grantor:
Richard K. Newman
and Arla R. Newman

B. Trustee:
Mountain Title Com-
pany of Klamath Coun-
ty

C. Beneficiary:
Vincent A. Jacobs and
Patricia A. Jacobs

William M. Ga-
nong, Attorney at Law,
has been appointed as
Successor Trustee by
the Beneficiaries.

2. The legal de-
scription of the prop-
erty covered by the sub-
ject Trust Deed is
more particularly de-
scribed on Exhibit A:

PARCEL 1:
All that portion
of Tract 48 of HOMED-
ALE, according to the
official plat thereof on
file in the office of the
County Clerk of Klamath
County, Oregon,
described as follows:

Beginning at a
point in the west right
of way line of the Coun-
ty Road known as
Homedale Road, which
bears South 0 degrees
20 feet West 258.4 feet
from the Northeastly
corner of said Tract
No. 48, and running
thence North 43 de-
grees 30 feet West par-
allel with First Avenue
in Homedale, 201.8
feet, thence at right
angles North 46 de-
grees 30 feet East 60
feet, thence at right an-
gles South 43 degrees
30 feet East 139 feet,
more or less to the
Westerly right of way
line of said Homedale
Road, thence South 0
degrees 20 feet West
86.61 feet, more or less
to the place of begin-
ning.

PARCEL 2:
All that portion
of Tract No. 48 of
Homedale, according
to the official plat
thereof on file at the of-
fice of the County
Clerk of Klamath Coun-
ty, Oregon, described
as follows:

Beginning at the
most Southerly corner
of said Tract No. 48;
thence North 54 de-
grees 30 feet West
194.5 feet; thence
North 43 degrees 30
feet West 65.9 feet;
thence North 46 de-
grees 30 feet East 121
feet; thence South 43
degrees 30 feet East
168.4 feet, more or
less, to the Westerly
line of Homedale
Road; thence South 0
degrees 20 feet West
along the Westerly line
of Homedale Road
121.5 feet, more or less
to the point of begin-
ning.

THE STREET
ADDRESS OF THIS
PROPERTY IS 3730
HOMEDALE ROAD,
KLAMATH FALLS, OR
97603.

3. The Book,
page number and the
date the subject Trust
Deed was recorded in
the Mortgage Records
of Klamath County, Or-
egon are:
Book: M-90 Page:
12063 Date Recorded:
June 19, 1990.

4. The default for
which the foreclosure
is made is the Gran-
tor's failure to pay
when due installment
payments of not less
than \$266.67, each, on
the 14th day and the
28th day of each month
for a period of 19
months (38 such pay-
ments) and the failure
to pay a \$50 per month
extension fee for a
total of 19 months to
and including the
month of January,
1994, plus advances
made by the benefici-
aries on behalf of Gran-
tor in the sum of
\$757.49.

5. The sum owing
on the obligation se-
cured by the subject
Trust Deed is the prin-
cipal amount of \$20,000
plus interest thereon at
the rate of 16% per
annum which totaled
\$4,713.84 through Janu-
ary 18, 1994, and which
accrues at the rate of
\$9.69 per day for each
day after January 18,
1994, that the principal
remains unpaid, plus

late payment fees of
\$1,013.46, extension
fees of \$950.00, and ad-
vances of \$757.49, said
amounts were com-
puted as of January 18,
1994, and are subject to
increases after that
date. A current sum-
owing can be obtained
from the Successor
Trustee on reasonable
notice.

6. The Benefi-
ciary and the Trustee
have elected to fore-
close the above refer-
enced Trust Deed pur-
suant to the provisions
of Oregon Revised Sta-
tutes 86.705 to 86.795.

7. The Trustee
will conduct a sale of
the above described
property at 10:00 AM
on the 15th day of
June, 1994, at 635 Main
Street, Klamath Falls,
Oregon.

8. Pursuant to
ORS 86.753, the Gran-
tor, the Grantor's suc-
cessor in interest to all
or any part of the
above described prop-
erty, any beneficiary
under a subordinate
Trust Deed, or any per-
son having a subor-
dinate lien or encum-
brance of record on
the property, may cure
the default or defaults
at any time prior to
five days before the
above said date of sale
by paying the entire
terms of the obligation,
other than such portion
as would not then be
due had no default oc-
curred. In addition, the
person affecting the
cure shall pay all costs
and expenses actually
incurred in enforcing
the obligation and
Trust Deed, together
with the Trustee's and
Attorney's fees spec-
ified in the said statute.

In construing this
instrument, the mascu-
line gender includes
the feminine and the
neuter, the singular in-
cludes the plural, the
word "grantor" in-
cludes any successor
in interest to the gran-
tor as well as any other
persons owing an obli-
gation, the perfor-
mance of which is se-
cured by said Trust
Deed, the words "trust-
ee" and "beneficiary"
include their respec-
tive successors in in-
terest, if any.

DATED this 24th day of
January, 1994.

William M. Ganong

STATE OF OREGON

County of Klamath

Personally appeared

this 24th day of Janu-
ary, 1994, the above

named William M. Ga-
nong, Successor Trust-

tee, and acknowledged

the foregoing instru-
ment to be his volun-

tary act and deed.

#6102, February 24, 1994

March 3, 10, 17, 1994