

Affidavit of Publication

ATC
#04042554

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 # 7167

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:

MARCH 22, 29, 1995

APRIL 5, 12, 1995

Total Cost: \$707.84

Sarah L. Parsons

Subscribed and sworn to before me this 12TH

day of APRIL 19 95

Debra A Moore

Notary Public of Oregon

3-15 19 96

My commission expires



TRUSTEE'S NOTICE OF SALE

Reference is made that certain trust deed made by ANTONIO F. TROQUATO, SR., as grantor, to ASPEN TITLE & ESCROW, as trustee, in favor of DAVID DAVENPORT and GINA L. DAVENPORT, as beneficiary, dated OCTOBER 15, 1992, recorded OCTOBER 30, 1992, in the Mortgage records of KLAMATH County, Oregon, in volume No. M92 at page 25754 covering the following described real property situated in said county and state, to-wit:

EXHIBIT "A"

The West 76 feet of Lot 9, Block 218, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon; more particularly described as follows: Beginning at the Northwesterly corner of said Lot 9 and running thence South 3 1/2 feet to the Southwesterly corner of said Lot on the Northern line of South Sixth Street in said City of Klamath Falls, thence Southeasterly along the Southern line of said Lot 9, 76 feet; thence Northeasterly 49.2 feet, more or less, to a point in the North line of said Lot 9, 76 feet East of the place of beginning; thence West to the place of beginning. SAVE AND EXCEPTING the following: Beginning at the intersection of the existing right of way of the Klamath Falls Lakeview Highway and the East line of the West 76 feet of Lot 9, Block 218, Mills Second Addition to the City of Klamath Falls, Oregon, said intersection being 76.03 feet Southeasterly from the intersection of said right of way line and the East line of Main Street; thence North 15 degrees 35' East along said East line of said property a distance of 9.34 feet to a point opposite and 40 feet from Station 65/05.04; thence parallel to the relocated center line of said Highway North 55 degrees 50' 30" West a distance of 66.63 feet to the North line of said Lot 9; thence South 89 degrees 22' 30" West along said North line a

distance of 10.25 feet to the Northwesterly corner of said Lot 9; thence South 0 degrees 30' 30" East along the West line of said Lot 9 a distance of 3.50 feet to the said Northerly right of way line; thence South 55 degrees 44' 45" East along said right of way line a distance of 76.03 feet to the point of beginning. TOGETHER WITH the right, privilege and easement to extend and maintain the slopes of cuts and/or fills for a distance of 10 feet measured at right angles to the highway center line upon the adjoining and abutting property.

CODE 1 MAP 3809-33DC
TL 17200

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 of which the foreclosure is made is grantor's failure to pay when due the following sums:

MONTHLY PAYMENTS OF \$224.88 DUE ON THE 15TH DAY OF MARCH 1994 AND EACH MONTH THEREAFTER.

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 sum being the following, to-wit:

\$10,886.28

WHEREFORE, notice hereby is given that the undersigned trustee will on August 16, 1995, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at 426 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

by 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 of 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 construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person creating an obligation, the performance which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED MARCH 14, 1995

JERRY M. MOLATORE
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.

JERRY M. MOLATORE
ATTORNEY FOR
SAID TRUSTEE
#7167 March 22, 29, 1995
April 5, 12, 1995

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 18th day
of April A.D., 19 95 at 11:14 o'clock A M., and duly recorded in Vol. M95
of Mortgages on Page 9713

FEE \$10.00

RETURN:ATC

Bernetha C. Letsch, County Clerk
By *Sarah Parsons*