

# Affidavit of Publication

## STATE OF OREGON, COUNTY OF KLAMATH

96 MAR 13 A9:38

I, Julie Hughes, 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 in general circulation, as  
defined by Chapter 193 ORS, printed and  
published at Klamath Falls in the  
aforesaid county and state; that the  
LEGAL #7883

### 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:  
NOVEMBER 10/17/24  
DECEMBER 1, 1995

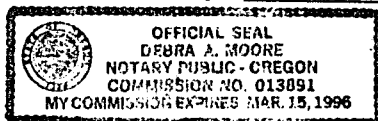
Total Cost: \$682.56

Subscribed and sworn before me this 1ST  
day of DECEMBER 1995

*Debra A Moore*

Notary Public of Oregon

My commission expires 3-15 1996



### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by PASCUALITO MONGE and FLORINE GUCE, as tenants by the entirety, as Grantor, MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, as Trustee, in favor of SHAMROCK DEVELOPMENT COMPANY, as Beneficiary, dated May 14, 1990, recorded June 14, 1990, in the Mortgage Records of Klamath County, Oregon in Vol. M90 page 1152, the beneficial interest was assigned by instrument recorded June 14, 1990 at Volume M90, Page 11530, Microfilm Records of Klamath County, from Shamrock Development Company to Kerry S. Penn, dba Ell Property Co., as to 50% interest in trust deed, and the beneficial interest was assigned on August 28, 1995, at Volume M95 page 23187, Microfilm Records of Klamath County, Oregon, from Kerry S. Penn, dba Ell Property Co. to Shamrock Development Company, covering the following described real property situated in said county and state, to-wit:

The South one-half of Lots 1 and 2 in Block 6 of TRACT NO. 1083, CEDAR TRAILS, according to the official plat thereof 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 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:

Payments in the amount of \$202.50 due December 14, 1993, and each and every month thereafter, plus real

property taxes for the fiscal year 1991-92, in the amount of \$86.31; Account No. 4008-020B0-02700; for the year 1992-93, in the amount of \$79.31, 4008-020B0-02700; and \$79.31, Account Number: 4008-020B0-02800, for the year 1993-94, in the amount of \$182.10; Account No. 4008-020B0-02700; and \$182.10; Account No. 4008-020B0-02800; for the years 1994-95 in the amount of \$141.06; Account No. 4008-020B0-02800; and \$141.06 for Account No. 4008-020B0-02800, all plus interest; the taxes for the fiscal year 1995-96 are a lien not yet due and payable. Such beneficiary may elect to pay all or a portion of such taxes.

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:

\$19,931.89 plus interest in the amount of \$4,401.82 per day from October 12, 1995; plus real property taxes for the fiscal year 1991-92, in the amount of \$86.31; Account No. 4008-020B0-02700; for the year 1992-93, in the amount of \$79.31, 4008-020B0-02700; and \$79.31, Account No. 4008-020B0-02800, for the year 1993-94, in the amount of \$182.10, Account No. 4008-020B0-02700; and \$182.10, Account No. 4008-020B0-02800; for the years 1994-95 in the amount of \$141.06; Account No. 4008-020B0-02800; and \$141.06 for Account No. 4008-020B0-02800, all plus interest; the taxes for the fiscal year 1995-96 are a lien not yet due and payable.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 13, 1996, at the hour of 10:00 o'clock, A.M., in accordance with the standard of time established by ORS 187.110, at Klamath County Courthouse Annex front steps, 305 Main, 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 grantor 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 including such amounts, if any, of such taxes which may be paid by such beneficiary, 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 said 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 per-

formance which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

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Richard Fairclo  
Successor, Trustee  
#7883 November 10, 1995  
#8195 December 1, 1995

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Richard Fairclo the 13th day  
of March A.D., 19 96 at 9:38 o'clock A M., and duly recorded in Vol. M96,  
of Mortgages on Page 6706.

Bernetha G. Letsch, County Clerk

FEE \$15.00

By Cheryl Russell