

# Affidavit of Publication

## STATE OF OREGON, COUNTY OF KLAMATH

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 #1235

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 ) insertion(s) in the following issues:

APRIL 2/9/16/23, 1998

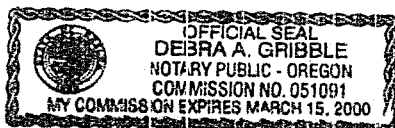
Total Cost: \$728.00

Subscribed and sworn before me this 23RD

day of APRIL, 1998

Notary Public of Oregon

My commission expires 3-15 20 00



### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Jeffrey D. Davies and his wife, as grantors, to AmeriTitle Company, as trustee, in favor of The Provident Bank, Inc., as beneficiary, dated 4/11/97, recorded 4/15/97, in the mortgage records of Klamath County, Oregon, in 1997, page 11:00 and subsequently assigned to Bankers Trust Company of California, N.A., as Custodian or Trustee, covering the following described real property situated in said county and state, to wit:

#### EXHIBIT A

#### PARCEL 1:

Beginning at the South east corner of Lot 16 of Block 41 of HOT SPRINGS ADDITION to the City of Klamath Falls, Oregon; thence Northwesterly along the Northerly line of Erie Street, 80 feet; thence Northwesterly and parallel to Alameda Street, 50 feet; thence Southwest 80 feet; and parallel to Erie Street, 80 feet; thence Southeast 50 feet to the place of beginning, being the Southeast 80 feet of Lot 16 in Block 41 of HOT SPRINGS ADDITION to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

#### PARCEL 2:

The Southeast 1/4 of the Southwest 1/4 of Lot 15, Block 41, HCIT SPRINGS ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. ADDRESS: 403 Alameda Ave. Klamath Falls, OR 97601

Both the beneficiary and the trustee have elected to sell the above described real property to satisfy the obligations secured

by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$384.96 beginning 5/15/97; plus late charges of \$19.25 each month beginning 5/30/97; plus prior accrued late charges of \$0.00; plus advances of \$19.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$37,425.00 with interest thereon at the rate of 12 percent per annum beginning 4/15/97; plus late charges of \$19.25 each month beginning 5/30/97 until paid; plus prior accrued late charges of \$0.00; plus advances of \$19.00; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 22, 1998 at the hour of 10:00 o'clock, A.M. in accordance with the standard of time established by ORS 187.110, at the following place: inside the 2nd floor lobby of the Klamath County Courthouse, 317 South 7th Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction the above described real property to satisfy the obligations secured

in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 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 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 13, 1998  
David E. Fennell  
Trustee

17268

FOR FURTHER INFORMATION  
DO NOT SIGN CONTRACT  
DO NOT SIGN  
SOUTH CROSTREE &  
FENNEL  
PO BOX 414  
UNION WA 98090-0414  
(425) 422-1025  
THIS IS AN ATTEMPT  
TO COLLECT A DEBT  
AND ANY INFORMATION  
OBTAINED HEREIN  
BE USED FOR  
PURPOSES  
81235 April 20, 1998

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 21st day  
of May A.D., 19 98 at 11:51 o'clock A. M., and duly recorded in Vol. M98,  
of Mortgages on Page 17267.

FEE \$15.00

By Bernetha G. Letsch, County Clerk  
Kathleen Roas