

1999 SEP 22 AM 11:45

Affidavit of Publication

AMT 47983 Received

Vol M99 Page 37706

STATE OF OREGON
COUNTY OF KLAMATH

AUG 18 1999
Routh Crabtree & Fennell

I, Larry L. Wells, Business 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 #2410

TRUSTEE'S NOTICE OF SALE.....

7104.20178

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:

JULY 1/8/15/22, 1999

Total Cost: \$648.00

Larry L. Wells

Subscribed and sworn before me this 22ND day of JULY 19 99

Debra A. Gribble

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 Gary L. Hart, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Goodrich and Pennington Mortgage Fund, Inc., as beneficiary, dated 1/22/98, recorded 1/29/98, in the mortgage records of Klamath County, Oregon, in Volume M98, Page 2811 and subsequently assigned to Bankers Trust Company of California N.A., as custodian or trustee by Assignment recorded as Volume M98, Page 4517, covering the following described real property situated in said county and state, to wit:

All of Lot 60 and the Westerly portion of Lot 59, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at the South-westerly Corner of Lot 59 of Lakeshore Gardens, thence North 731.5 feet to the North-westerly corner of said Lot 59; thence North 84 degrees 09' East along the Northerly line of said Lot 59; a distance of 120 feet; thence South parallel to the Westerly line of said Lot 59; thence South-westerly along the Southerly line of said Lot 59 to the point of beginning.

PROPERTY ADDRESS: 1060 Lakeshore Drive, Klamath Falls, OR 97601.

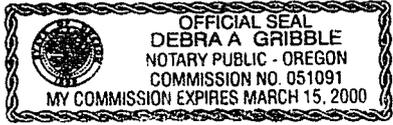
Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$3,210.69 beginning 1/1/99; plus late charges of \$160.53 each month beginning 1/16/99; plus prior accrued late charges of \$642.12 plus advances of \$126.50; together with title expense, costs, trustee's fees and attorney's fees incurred hereon by reason of default; and any further sums advanced by the beneficiary for 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: \$389,874.10 with interest thereon at the rate of 9.2 percent per annum beginning 12/1/98; plus late charges of \$160.53 each month beginning 1/16/99 until paid; plus prior accrued late charges of \$642.12; plus advances of \$126.50; together with title expense, costs, trustee's fees and attorney's fees incurred hereon by reason of default; and any further sums advanced by the beneficiary for protection of the above described real property which is secured by said trust deed, and the words "trustee" and "beneficiary" include hereby is given that their respective successors in interest, if any, at the hour of 10:00 o'clock, A.M. in accordance with the standard of David E. Fennell time established by Trustee 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 to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of 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 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 of 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: May 20, 1999

DEBRA A. GRIBBLE, Notary Public for Oregon, My Commission Expires March 15, 2000.



State of Oregon, County of Klamath
Recorded 9/22/99, at 11:36 a.m.
In Vol. M99 Page 37706
Linda Smith,
County Clerk Fee \$ 10.00

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