

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

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 2614

Trustee's Notice.....

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:

November 5, 12, 19, 26, 1999

Total Cost: \$756.00

Subscribed and sworn before me this 26th
day of November 19 99

Debra A. Subbe

Notary Public of Oregon

My commission expires March 15, 2000



TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Dan L. Thomas and Sandra C. Thomas, as tenants by the entirety as grantor, to First American Title, as Trustee, in favor of Imperial Credit Industries, Inc., a California corporation as Beneficiary, dated September 14, 1995, recorded September 22, 1995, in the mortgage records of Klamath County, Oregon, in Book No. M95 at Page 25651, beneficial interest having been assigned to Federal National Mortgage Association, covering the following described real property.

PARCEL 1:

That portion of the SW 1/4 of the SE 1/4 of Section 15, T.36S., R.7E. of the WM, in the County of Klamath, State of Oregon, lying East of the Easterly right of way of the Southern Pacific Railroad, LESS that portion lying within the right of way of the Dalles-California Highway.

CODE 118 & 138 MAP
3607-A1500 TL 1000
CODE 138 & 118 MAP
3607-A1500 TL 1000

PARCEL 2:

Lot 16, MODOC
POINT, in the County of Klamath, State of Oregon.

CODE 70 MAP 3607-A1500 TL 1000

COM A ONLY
KNOWN AS: 24305
North Highway 97, Chiloquin, Oregon 97624.

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

Monthly payments in the sum of \$1,519.29 from March 1, 1999, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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:

\$189,110.36, together with interest thereon at the rate of 7.25000% per annum from February 1, 1999 together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE,

notice hereby is given that the undersigned trustee will on January 5, 2000 at the hour of 11:00 a.m., in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 317 South Seventh 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 has or had power to convey at the time of the execution of 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 thereon 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 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 obligations 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 performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Also, please be advised that pursuant to the terms stated on the Deed of Trust and Note, the beneficiary is allowed to conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose.

RECEIVED

DEC 18 1999

50880

State of Oregon, County of Klamath

Recorded 12/28/99, at 2:29 p.m.

In Vol. M99 Page 50879

Linda Smith,

County Clerk

Fees 15⁰⁰