

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 2708
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:

October 27, November 3, 10, 17, 1999

Total Cost: \$702.00

Subscribed and sworn before me this 17th
day of November 1999

Debra A. Supple
Notary Public of Oregon

My commission expires March 15 2000



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by AVEL L. MERCADO and CLARITA M. SILVA, or the Survivor, as Grantor, to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, as Trustee, in favor of SHAMROCK DEVELOPMENT COMPANY, an Oregon corporation, as Beneficiary, dated May 14, 1990, recorded June 4, 1990, in the Microfilm Records of Klamath County, Oregon in Vol. M90, page 10670, the beneficial interest under said Trust Deed was assigned by Instrument dated June 1, 1990, recorded June 4, 1990, in Vol. M90, page 10672, Microfilm Records of Klamath County, Oregon from Shamrock Development Company, an Oregon corporation, to Shamrock Development Company, an Oregon Corporation as of 50% interest and Kerry S. Penn dba Eli Property Company as to 50% interest; and reassigned from Kerry S. Penn dba Eli Property Company to Shamrock Development Company, an Oregon corporation, by instrument dated October 1, 1999, recorded at Vol. M99, page 39640, covering the following described real property situated in said county and state, to-wit:

Lot 7 in Block 3, 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 on February 2, 1999, and each and every month thereafter, plus interest in the amount of \$1,189.83, plus interest in the amount of \$4,955.55 per diem from October 1, 1999, plus real estate taxes for the fiscal year 1999-2000, a lien not yet due and payable, Account No. 4008 020BO 03600; Key No. 624630.

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:

\$21,532.70, plus interest in the amount of \$4,955.55 per diem from October 1, 1999, plus real estate taxes for the fiscal year 1999-2000, a lien not yet due and payable, Account No. 4008 020BO 03600; Key No. 624630.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 1, 2000, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Klamath County Courthouse, 315 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 hand 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 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 therein 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.

We are attempting to collect a debt and any information we obtain will be used for that purpose. The debt described in the Notice of Sale is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification. If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor. Written requests should be addressed to: Richard Fairclo, Attorney at Law, 280 Main Street, Klamath Falls, Oregon 97601.

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-

sonable charge by the

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

Richard Fairclo
Successor Trustee
#2708 October 27, November 3, 10, 17, 1999

Ref:

6427

State of Oregon, County of Klamath
Recorded 3/01/00, at 9:44 a m.
In Vol. M00 Page 6426
Linda Smith,
County Clerk Fee\$ 26⁰⁰