

# 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#2976

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:

March 5, 12, 19, 26, 2000

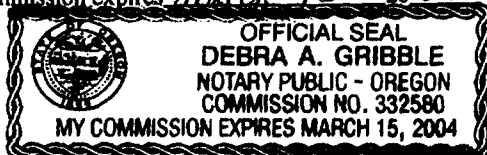
Total Cost: \$567.00

Subscribed and sworn before me this 26th  
day of March 20 00

Debra A. Gribble

Notary Public of Oregon

My commission expires March 15, 2004



### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Clyde Collins and Linda Collins, as grantor, to Klamath County Title Company, as trustee, in favor of Jack Simington and Erlene Simington, Gene Neier and Ruth Neier, as beneficiary, dated July 29, 1994, recorded August 19, 1994, in the mortgage records of Klamath County, Oregon, volume No M94 at page 25850, or covering the following described real property situated in said county and state, to-wit:

Lots 1, 2 and 3, in Block 60, Second Hot Springs Addition to the City of Klamath Falls, and the Southwesterly 10 feet of the vacated alley adjoining lots 1 and 2 in said Block 60, all 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

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

Final balloon payment due August 19, 1999 in the amount of \$66,746.43 plus interest at 8% per annum from May 12, 1999 until paid.

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:

Final balloon payment due August 19, 1999 in the amount of \$66,746.43 plus interest at 8% per annum from May 12, 1999; plus attorney fees and costs of foreclosure with interest thereon at 9% per annum until paid.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 10, 2000, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at 110 North Sixth 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 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 grantor's 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 herein that

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 his 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: December 16, 1999

James R. Uerlings  
Successor Trustee  
State of Oregon, County  
Klamath ss: I, the under-

signed, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale. Attorney for said Trustee  
James Uerlings  
#2976 March 5, 12, 19, 26, 2000

State of Oregon, County of Klamath  
Recorded 04/11/00, at 8:52 a.m.  
In Vol. M00 Page 11722  
Linda Smith,  
County Clerk Fee \$ 21.00

After recording, return to:

James R. Uerlings  
110 N 6th Street  
Klamath Falls, OR 97601