

**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 2910

Notice of Default and Election to
Sell

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for four

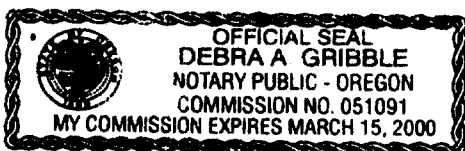
(4) insertion(s) in the following issues:
February 1,8,15,22, 2000

Total Cost: \$757.08

Subscribed and sworn before me this 22nd
day of February 20 00

Debra A. Gribble
Notary Public of Oregon

My commission expires 3-15 2000



**NOTICE OF DEFAULT
AND ELECTION TO
SELL**

Reference is made to that certain trust deed made by BENNIE JO TIBBETS, Grantor, AMERITITLE as the trustee, and WILLIAM K. KALITA is the beneficiary under that certain trust deed dated June 24, 1996, and recorded July 23, 1996, in Volume No. M96 page 22142, Microfilm Records of Klamath County, Oregon, covering the following described real property.

Parcel 1: Lot 2 In Block 17 of TRACT NO. 1027, MT. SCOTT MEADOWS situated in Section 12, Township 31 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 2: Lot 3 In Block 17 of TRACT NO. 1027, MT. SCOTT MEADOW, 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 \$150 due and payable on May 23, 1998 and each and every month thereafter, plus interest in the amount of 9 percent per annum from May 23, 1998, plus real property taxes for the fiscal year 1996-1997, in the amount of \$52.82 plus interest on Account No. 3107-012AO-02900, Key No. 82038, and \$52.82 plus interest on Account No. 3107-012AO-03000, Key No. 82270; plus real property taxes for the fiscal year 1997-1998 in the amount of \$64.04 plus interest on Ac-

count No. 3107-012AO-02900, Key No. 82038, and \$64.04 plus interest on Account No. 3107-012AO-03000, Key No. 82270; plus real property taxes for the fiscal year 1998-1999, in the amount of \$65.37 plus interest on Account No. 3107-012AO-02900, Key No. 82038, and \$65.37 plus interest on Account No. 3107-012AO-03000, Key No. 82270. Taxes for the fiscal year 1999-2000, are a lien not yet due and payable on Account No. 3107-012AO-02900, Key No. 82038 and Account No. 3107-012AO-03000, Key No. 82270.

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:

\$10,288.70, plus interest in the amount of \$2.244 per day from November 4, 1999, plus real property taxes for the fiscal year 1996-1997, in the amount of \$52.82 plus interest on Account No. 3107-012AO-02900, Key No. 82038, and \$52.82 plus interest on Account No. 3107-012AO-03000, Key No. 82270; plus real property taxes for the fiscal year 1997-1998, in the amount of \$64.04 plus interest on Account No. 3107-012AO-02900, Key No. 82038, and \$64.04 plus interest on Account No. 3107-012AO-03000, Key No. 82270; plus real property taxes for the fiscal year 1998-1999, in the amount of \$65.37 plus interest on Account No. 3107-012AO-02900, Key No. 82038, and \$65.37 plus interest on Account No. 3107-012AO-03000, Key No. 82270. Taxes for the fiscal year 1999-2000, are a lien now due and payable on Account No. 3107-012AO-02900, Key No. 82038 and Account No. 3107-012AO-03000, Key No. 82270.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 25, 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 front steps, 315 Main Street in the City of Klamath Falls, 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 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 to 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 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.

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

Richard Fairclough
Successor Trustee
#2910 February 1, 8, 15,
22, 2000

Unofficial
Copy

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON]
] ss.
 County of Klamath]

I, RICHARD FAIRCLO, being first duly sworn, depose, say and certify that:

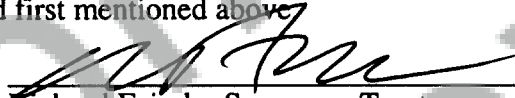
I am Successor Trustee in that certain trust deed executed and delivered by BENNIE JO TIBBETS, as grantor to AMERITITLE as trustee, in which WILLIAM K. KALITA is beneficiary, recorded on July 23, 1996, in the mortgage records of Klamath County, Oregon, in Volume No. M96, at page 22142 or as instrument No. _____, covering the following described real property situated in said county:

Parcel 1: Lot 2 in Block 17 of TRACT NO. 1027, MT. SCOTT MEADOW, situated in Section 12, Township 31 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 2: Lot 3 in Block 17 of TRACT NO. 1027, MT. SCOTT MEADOW, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

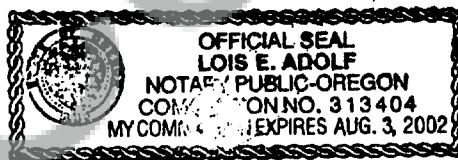
I hereby certify that on January 2, 2000, and the prior five months, the above described real property was not occupied, based upon information provided to me by my client.

The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.


 Richard Fairclo, Successor Trustee

SUBSCRIBED AND SWORN to before me this 24 day of May, 2000.


 Notary Public of Oregon
 My Commission expires:



State of Oregon, County of Klamath
 Recorded 05/24/00, at 3:27 p.m.
 In Vol. M00 Page 18818
Linda Smith,
 County Clerk Fee \$ 31⁰⁰

Trustee's Affidavit
 • As To Non-Occupancy

Richard Fairclo
 Attorney at Law
 280 Main Street
 Klamath Falls OR 97601