

# 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#3777

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:

January 26, 2001

February 2, 9, 16, 2001

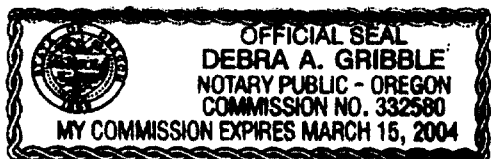
Total Cost: \$702.00

Subscribed and sworn before me this 16th  
day of February 2001

Debra A. Gribble

Notary Public of Oregon

My commission expires March 15 20 04



## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by FAWN M. PAYTON, Grantor, KLAMATH COUNTY TITLE COMPANY as the trustee, and CHARLENE A. SKELLHAM is the beneficiary under that certain trust deed dated September 14, 1996, and recorded September 20, 1996, in Volume No. M96 page 29886, Microfilm Records of Klamath County, Oregon, covering the following-described real property.

Lots 12, 13, 14, Block 105, Klamath Falls Forest Estates, Highway 66 Unit, Plat #4, according to the official plat thereof on file in the office of the County Clerk, 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 \$247.10 due and payable on March 25, 2000, and each and every month thereafter, plus interest in the amount of 10.5 percent per annum from October 13, 1999, plus real property taxes for the fiscal year 1998-99 in the

amount of \$42.57 plus interest, taxes for the year 1999-2000 in the amount of \$43.14 plus interest, taxes for the year 2000-2001 in the amount of \$41.24 plus interest (Lot 12); (Account No. 3711-36B-5400; Key No. 403753); Also real estate taxes for the year 1998-99 in the amount of \$42.57 plus interest; Code No. 36, (Account No. 3711-36B-5300; Key No. 403744) (Lot 13), Taxes for the year 1999-2000, in the amount of \$43.14 plus interest, and taxes for the year 2000-2001 in the amount of \$41.24 plus interest. Also taxes for the year 1998-99 in the amount of \$42.57 plus interest; Code No. 36, (Account No. 3711-36B-5600; Key No. 403735); Taxes for the year 1999-2000, in the amount of \$43.14 plus interest, taxes for the year 2000-2001 in the amount of \$43.14 plus interest.

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:

Principal amount of \$23,000 plus interest in the amount of \$3,052.07 plus interest in the amount of \$6.6164 per day from January 17, 2001; plus real property taxes for the fiscal 1998-99 in the amount of \$42.57 plus interest, taxes for the year 1999-2000 in the amount of \$43.14 plus interest, tax-

es for the year 2000-2001 in the amount of \$41.24 plus interest (Lot 12); (Account No. 3711-36B-5400; Key No. 403753); Also real estate taxes for the year 1998-99 in the amount of \$42.57 plus interest; Code No. 36, (Account No. 3711-36B-5600; Key No. 403744; Lot 13), Taxes for the year 1999-2000, in the amount of \$43.14 plus interest, taxes for the year 2000-2001 in the amount of \$43.14 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 6, 2001, 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, 316 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 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

State of Oregon, County of Klamath  
Recorded 06/04/01, at 2:21 p.m.  
In Vol. M01 Page 26142  
Linda Smith,  
County Clerk Fee\$ 31.00

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  
Legal#3777 January 26,  
2001  
February 2, 9, 16, 2001

26143

## RETURN OF SERVICE

STATE OF OREGON       )  
                              ) ss.  
County of Klamath    )

Court Case No. \_\_\_\_\_

Case No. \_\_\_\_\_

I hereby certify that I received on 1-26-01 the within:

- ( ) Summons & Complaint   ( ) Summons & Petition   ( ) Summons   ( ) Notice  
( ) Order of Appearance   ( ) Waiver of Fees       ( ) Petition   ( ) Motion  
( ) Show Cause Order       ( ) Affidavit               ( ) Complaint   ( ) Order  
( ) Writ of Garnishment   ( ) Restraining Order   ( ) Citation   ( ) Subpoena  
( ) Small Claim

☒ Notice of Default and Election to Sell  
for service on the within named: Fawn M. Payton

( ) SERVED \_\_\_\_\_ personally and in person.

( ) SUBSTITUTE SERVICE - By leaving a true copy with \_\_\_\_\_

a person over the age of fourteen years, who resides at the place of abode of the within named, at said abode: \_\_\_\_\_

( ) OFFICE SERVICE - By leaving a true copy with \_\_\_\_\_

the person in charge of the office maintained for the conduct of business by \_\_\_\_\_

( ) By leaving a true copy with \_\_\_\_\_ of said corporation.

☒ OTHER METHOD Posted at 34668 Elk Lane, Bonanza

( ) NOT FOUND. After due and diligent search and inquiry, I hereby return  
that I have been unable to find the within named: \_\_\_\_\_

\_\_\_\_\_ within Klamath County.

All search and service was made within Klamath County, State of Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: 2-1-01 at 4:26 pm

SERVICE FEES FOR THIS SERVICE ARE: \$ 25.00 plus 30 miles  
at \$.30/mile for a total amount due of \$ 34.00.

ARRITOLA INVESTIGATIONS

By

Danise Blakeman

3 of 3

Rr: Richard Laroche