

Affidavit of Publication

01 JUN 12 PM 2:24

AFTER RECORDING, RETURN TO:

STATE OF OREGON,
COUNTY OF KLAMATH

Vol M01 Page 27780^{pr.}

WILLIAM M. GANONG
ATTORNEY AT LAW
514 WALNUT AVENUE
KLAMATH FALLS, OR 97601

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#3994

Trustee's Notice of Sale
Kim r. Franco

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for: (4)

Four

Insertion(s) in the following issues:

April 29, 2001

May 6, 13, 20, 2001

Total Cost: \$945.00

Larry L. Wells
Subscribed and sworn before me this 20th
day of: May 2001

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S NO- TICE OF SALE

YOU ARE GIVEN
NOTICE: THAT
THE BENEFICIA-
RY AND TRUSTEE
HAVE ELECTED
TO SELL THE
PROPERTY DE-
SCRIBED BELOW
TO SATISFY THE
FOLLOWING DE-
SCRIBED OBLIGA-
TION:

1. A. Grantor: Kim
R. Franco

B. Trustee: Wil-
liam M. Ganong

C. Beneficiary:
Riley C. Mattson

2. The legal descrip-
tion of the property
covered by the sub-
ject Trust Deed is:

PARCEL 1:

That certain piece
or parcel of land in
the County Klamath,
State of Oregon, de-
scribed as follows:

Beginning at a point
on the Northerly
boundary of Tract
805, ENTERPRISE
TRACTS, which

point is South 55 de-
grees 08' East a dis-
tance of 225 feet
from the most

Northerly corner of
said Tract 805, and
which point of begin-
ning is the North-

easterly corner of a
parcel of land deed-
ed by Ralph W.

Stearns to S. Marie
Stearns, and record-
ed in Book 105 at
Page 93, Deed Re-

ords of Klamath
County, Oregon;
thence South 55 de-

grees 18' East, along
the Northerly bound-
ary of said Tract,

805, a distance of 50
feet; thence South 34
degrees 52' West at
right angles to said

Northerly boundary

a distance of 200
feet; thence North
55 degrees 08' West
parallel to said
Northerly boundary,
a distance of 135.6
feet, more or less, to
the Westerly bound-
ary of said Tract
805; thence North
along said Westerly
boundary a distance
of 85.32 feet, more
or less, to the South-
westerly corner of a
parcel of land deed-
ed by R.H. Bunnell

to Kate Fales and
recorded in Book 106
at Page 286, Deed
Records of Klamath
County, Oregon;

thence South 55 de-
grees 08' East, par-
allel to said Northerly
boundary a distance

of 134.4 feet to the
Southeasterly corner
of said S.

Marie Stearns prop-
erty; thence North
34 degrees 52' East
130 feet to the point

of beginning, being
a portion of said
Tract 805.

**EXCEPTING
THEREFROM** that
portion conveyed to
the State of Oregon
by and through its

State Highway Com-
mission by deed re-
corded June 26, 1946
in Book 191 at Page

240, Deed Records of
Klamath County,
Oregon

PARCEL 2:
Beginning at a point
on the Southwesterly
boundary line of the

right of way of the
Dalles-California
Highway from

which the intersec-
tion of the said
boundary line with
the Section line

marking the bound-
ary between Sec-
tions 3 and 4, Town-
ship 39 South, Range

9 East of the will-
amette Meridian
bears South 55 de-
grees 52' East 570.0

feet distant, running
thence South 34 de-
grees 08' West at
right angles to the

said boundary line
130.0 feet; thence
North 55 degrees 52'

West, parallel with
the said boundary
line 100.0 feet; thence

North 34 de-
grees 08' East 130.0
feet, to a point in the
said boundary line;

thence South 55 de-
grees 52' East, along
the said boundary
line 100.0 feet to the

point of beginning,
and being a portion
of Tract 805 of the
ENTERPRISE

TRACTS.
that portion con-
veyed to the State of
Oregon, by and
through its State

Highway Commis-
sion by deed record-
ed May 22, 1943 in

Book 155 at Page
380, Deed Records of
Klamath County,
Oregon.

**CODE 1 MAP 3909-
4AA TL 580**
Klamath County As-
sessor's Account No.
3909-4AA-5800

The book,
page number, and
the date the subject
Trust Deed was re-

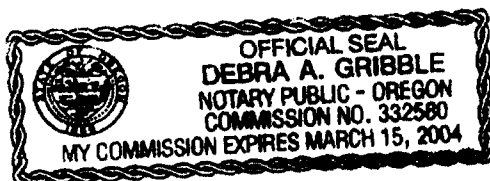
corded in the Mort-
gage Records of
Klamath County,
Oregon are:

Book: M99
Page: 15354
Date Recorded:

April 26, 1999
3. The default for
which the foreclo-

sure is made is the
Grantor's failure to
make the third lump

sum payment of
\$5,000 which was
due October 26,
2000, plus a late



payment penalty of \$250; and Grantor's failure to pay the real property taxes and assessments levied against the real property for tax years 1999-2000 and 2000-2001 before they became delinquent.

4. The amount owing on the obligation secured by the subject Trust Deed as of January 15, 2001 is \$269,798.92, plus interest at the note rate of 9.0% per annum from January 15, 2001 until paid; and real property taxes and assessments for the tax years 1999-2000 and 2000-2001 in the total sum of \$4,028.10, plus interest thereon from January 10, 2001, which are due and payable by the Grantor as provided in said Trust Deed.

5. The Beneficiary and the Trustee have elected to foreclose the above referenced Trust Deed pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.

6. The Trustee will conduct a sale of the above described property at 10:00 a.m. on the 26th day of June, 2001, at the front entrance to the office of William M. Ganong at 514 Wal-

nut Avenue, Klamath Falls, Oregon.

7. Pursuant to ORS 86.753, the Grantor, the Grantor's successor in interest to all or any part of the above described property, any beneficiary under a subordinate Trust Deed, or any person having a subordinate lien or encumbrance of record on the property, may cure the default or defaults at any time prior to five days before the above said date of sale by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as

would not then be due had no default occurred. In addition, the person affecting the cure shall pay all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and Attorney's fees specified in the said statute. In construing this instrument, 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 persons owing an obligation, the performance of which is secured by said Trust Deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated this 6th day of February, 2001
William M. Ganong
Trustee
514 Walnut Avenue
Klamath Falls, OR
97601

Tel: (541) 882-7228
#3994 April 29, 2001
May 6, 13, 20, 2001

27781

State of Oregon, County of Klamath

Recorded 06/12/01, at 2:24 p.m.

In Vol. M01 Page 27780

Linda Smith,

County Clerk Fee \$ 26⁰⁰