

Affidavit of Publication

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STATE OF OREGON,
COUNTY OF KLAMATH

Vol M01 Page 33293

K56381

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#4011

Trustee's Notice of Sale

Arthur C. Avery

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:

May 3, 10, 17, 24, 2001

Total Cost: \$891.00

Subscribed and sworn before me this 24th day of: May 2001

Notary Public of Oregon

My commission expires March 15, 2004

After recording, return to:
Sabrina P. Loiselle
Miller Nash LLP
111 S.W. Fifth Avenue, Suite 3500
Portland OR 97204-3699

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain deed of trust (the "Trust Deed") dated November 21, 1997, by Arthur C. Avery and Ruth W. Avery (the "Grantor") to William L. Sisemore (the "Trustee"), to secure payment and performance of certain obligations of Grantor, including repayment of the promissory note dated November 21, 1997, in the principal amount of \$60,000.00 (the "Note") to Klamath First Federal Savings and Loan Association (the "Beneficiary"), and recorded on November 21, 1997, in Volume M97 at Page 38377 in the official real property records of Klamath County, Oregon.

The description of the real property covered by the Trust Deed is as follows:

Lot 8 in Block 309 Darrow Addition in the City of Klamath Falls, according to the official PLAT thereof on file in the office of the County Clerk of Klamath County, Oregon.

said property is currently vested in Arthur C. Avery, Ruth W. Avery, and Janet R. Ross, as an estate in fee simple with full rights of survivorship.

No action has been instituted to recover the obligations, or any part thereof, now remaining secured by the Trust Deed or, if such action has been

instituted, such action has been dismissed except as permitted by ORS 86.735(4).

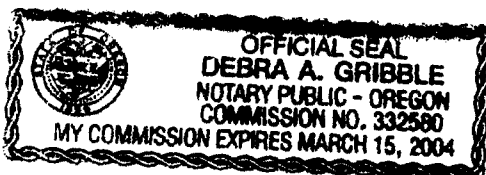
The default for which the foreclosure is made is the Grantor's failure to make monthly payments beginning September 2000, and each month thereafter, as required under the Note and Trust Deed in the total amount of \$2,108.00 as of December 27, 2000, and late charges in the amount of \$64.47 as of December 27, 2000.

By reason of said default, Klamath First Federal Savings and Loan Association, as beneficiary under the Trust Deed, has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable which sums are as follows: (a) the principal amount of \$58,499.96, (b) accrued interest of \$1,851.17 as of December 27, 2000, and interest accruing thereafter on the principal amount at the rate of 7.750 per-

cent per annum. (c) late charges of \$64.47 as of December 27, 2000, and any late charges accruing thereafter, (d) amounts that the Beneficiary has paid on or may hereinafter pay to protect the lien, including by way of illustration, taxes, assessments, interest on prior liens, and insurance premiums, and (e) costs and attorney and trustee fees incurred by the Beneficiary in foreclosure, including the cost of a trustee's sale guarantee and any other environmental or appraisal report.

By reason of said default, Klamath First Federal Savings and Loan Association, as beneficiary under the Trust Deed, and the Successor Trustee have elected to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to ORS 86.795 and to sell the real property identified above to satisfy the obligation that is secured by the Trust Deed.

NOTICE IS HEREBY GIVEN that the undersigned Successor Trustee or Successor Trustee's agent will, on June 12, 2001, at one o'clock (1:00) p.m., based on the standard of time established by ORS 187.110, just outside the main entrance of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601, sell for cash



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at public auction to the highest bidder the interest in said real property, which Grantor, has or had power to convey at the time of the execution by Grantor of the Trust Deed, together with any interest that Grantor or the successors in interest to Grantor acquired after the execution of the Trust Deed, to satisfy the foregoing obligations thereby secured and expenses of sale.

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 dis-

missed and the Trust Deed reinstated by payment to Klamath First Federal Savings and Loan Association, as beneficiary under the Trust Deed, 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 is capable of being cured by tendering the performance required under the obligation or Trust Deed and, in addition to paying said sums actually incurred in enforcing the obligation and Trust Deed, together with Trustee and attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, and the word "grantor" includes any successor in interest of grantor, as well as any other person owing an obligation, the performance of which is secured by the Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

In accordance with the Fair Debt Collection Practices Act, this is an attempt to collect a debt, and any information obtained will be used for that purpose. This communication is from a debt col-

lector.

For further information, please contact Sabrina P. Loiselle at Miller Nash LLP 111 S.W. Fifth Avenue, Suite 3500, Portland, Oregon 97204 or telephone her at (503) 224-5858.

DATED this 31st day of January, 2001.

Sabrina P. Loiselle
Successor Trustee
#4011 May 3, 10, 17,
24, 2001

33294

State of Oregon, County of Klamath
Recorded 07/09/01 at 2:04 p. m.
In Vol. M01 Page 33293
Linda Smith,
County Clerk Fee \$ 26⁰⁰