

# 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#3989

Trustee's Notice of Sale

Maynard Herting

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:

April 27, 2001

May 4, 11, 18, 2001

Total Cost: \$634.50

*Larry L. Wells*  
Subscribed and sworn before me this 18th day of: May 2001

*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 Maynard Herting and Luana Herting, husband and wife, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Ruth Woolhiser, Trustee for the Woolhiser Family Trust, as beneficiary, dated April 26, 2000, recorded April 27, 2000\*, in the mortgage records of Klamath County, Oregon in volume No. MOO at page 14739, as (indicate which), covering the following described real property situated in said county and state, to-wit: Lot 37, TRACT 1318, GIL CHRIST TOWNSITE, in the County of Klamath, State of Oregon. Code 48, Map 2409-19DA, Tax lot 3200. \*Re-recorded 5-11-00 in Vol. MOO, Pg.17134, in the Official records 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:

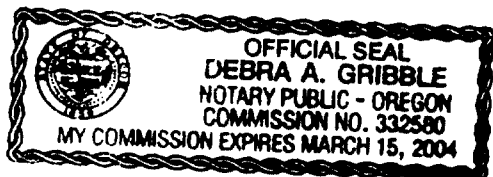
The July 28, 2000 monthly installment of \$340.00 and each month thereafter plus, buyer's fees of \$40.00 plus, late charges of \$136.00

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: The unpaid principal balance of \$34,000.00 with interest thereon at 12% per annum from June 28, 2000 until paid.

**WHEREFORE,** notice hereby is given that the undersigned trustee will on **August 15, 2001** at the hour of **10:30 o'clock, AM.**, in accord with the standard of time established by ORS 187.110, at Law Office of Richard Fairclo, 280 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 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 is 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 this 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.



21  
2031  
At: Richard Fairclo

DATED April 9,  
2001, 2001  
PATRICK J. KEL-  
LY

Trustee  
State of Oregon,  
County of Jose-  
phine/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 com-  
plete and exact copy  
of the original trust-  
ee's notice of sale.

Patrick Kelly  
Attorney for said  
Trustee

#3989 April 27, 2001  
May 4, 11, 18, 2001

43416

43417

For Recording Purposes:

AFFIDAVIT OF PUBLICATION - WOOLHISER/HERTING

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State of Oregon, County of Klamath  
Recorded 08/27/01 at 9:22a m.  
In Vol. M01 Page 43415  
*Linda Smith,*  
County Clerk Fee\$ 31.00