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Affidavit of Publication

Vol M03 Page 08981

State of Oregon, County of Klamath
Recorded 02/14/2003 10:09 a.m.
Vol M03 Pg 08981-84
Linda Smith, County Clerk
Fee \$ 36.00 # of Pgs 4

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 # 5260

Notice of Sale/Galvan

Exhibit "A" - Brown Cemetery

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

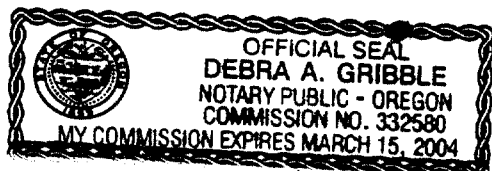
Insertion(s) in the following issues:
October 18, 25, November 1, 8, 2002

Total Cost: \$931.50

Larry L. Wells
Subscribed and sworn
before me on: November 8, 2002

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 IG-NACIO J. GALVAN, Grantor, KLAMATH COUNTY TITLE COMPANY as the trustee, and RICHARD S. FAIRCLO, TRUSTEE UNDER THE LAST WILL AND TESTAMENT OF AMY I. WAGGONER, is the beneficiary under that certain trust deed dated October 10, 1994, and recorded October 20, 1994 in Volume No. M94, page 32726, Microfilm Records of Klamath County, Oregon covering the following-described real property:

EXHIBIT "A" DESCRIPTION OF PROPERTY

The following described real property situated in Klamath County, Oregon:

The NW 1/4 and all that portion of the E 1/2 SW 1/4 lying North of the center thread of the Sprague River in Section 18, Township 36 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

The NE 1/4 of Section 13, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon. EXCEPTING THEREFROM that portion in Brown Cemetery, Klamath County, Oregon, more particularly described as follows:

Lot 32, Section 13, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon designated as the Brown Cemetery, in accordance with the official Bu-

reau of Land Management supplemental plat of survey approved February 9, 1961.

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:

Annual payments in the amount of \$8,941.77 due and payable on October 15, 1999, and each thereafter, plus interest in the amount of 8 percent per annum as set forth below, plus real property taxes for the fiscal year, 1999-2000 in the amount of \$318.95 plus interest, for the fiscal year 2000-2001 in the amount of \$316.73 plus interest, for the fiscal year 2001-2002 in the amount of \$336.65 plus interest, plus real property taxes for the fiscal year 2002-2003, a lien not yet due and payable. Account No: 3612-1300-100; Key No. 352380; plus real property taxes for the year 1999-2000, in the amount of \$200.31 plus interest, for the year 2000-2001, in the amount of \$215.49 plus interest, for the year 2001-2002 in the amount of \$223.84 plus interest, Account No. 3613-18C-100, Key Number 362574. Also owed to beneficiary are the following amount for real property taxes paid by beneficiary: \$617.64.

By reason of said default, the benefi-

ciary 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 in the amount of \$39,970.43 plus interest in the amount of \$12,843.10, plus interest at the rate of \$8.76 per day from October 8, 2002; plus real property taxes for the fiscal year, 1999-2000 in the amount of \$318.95 plus interest, for the fiscal year 2000-2001 in the amount of \$316.73 plus interest, for the fiscal year 2001-2002 in the amount of \$336.65 plus interest, plus real property taxes for the fiscal year 2002-2003, a lien not yet due and payable. Account No: 3612-1300-100; Key No. 352380; plus real property taxes for the year 1999-2000, in the amount of \$200.31 plus interest, for the year 2000-2001, in the amount of \$215.49 plus interest, for the year 2001-2002 in the amount of \$223.84 plus interest, Account No. 3613-18C-100, Key Number 362574. Also owed to beneficiary are the following amount for real property taxes paid by beneficiary: \$617.64.

WHEREFORE, notice hereby is given that the undersigned trustee will on February 20, 2003 at the hour of 10:45 AM, in accord with the standard of time established by ORS 187.110, at the 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 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 or tender-

ing 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 Fairclo,
Trustee.
#5260 October 18, 25,
November 1, 8, 2002.

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 Ignacio J. Galvan, as grantor to Klamath County Title as trustee, in which Richard S. Fairclo, Trustee under the Last Will and Testament of Amy I. Waggoner is beneficiary, recorded on October 20 1994, in the mortgage records of Klamath County, Oregon, in Volume No. M94, at page 32726 covering the following described real property situated in said county:

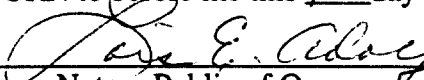
See Attached "A"

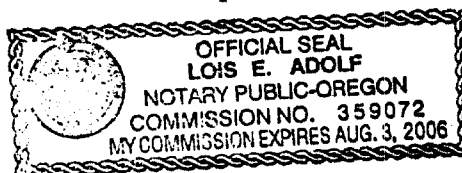
I hereby certify that on October 9, 2002, the above described real property was not occupied.

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 13 day of Feb., 2003.


 Notary Public of Oregon
 My Commission expires:



Trustee's Affidavit
 As To Non-Occupancy

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

57755

08984

EXHIBIT "A"

DESCRIPTION OF PROPERTY

The following described real property situate in Klamath County, Oregon:

The NW $\frac{1}{4}$ and all that portion of the E $\frac{1}{2}$ SW $\frac{1}{4}$ lying North of the center thread of the Sprague River in Section 18, Township 36 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

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