

# Affidavit of Publication

State of Oregon, County of Klamath  
 Recorded 03/17/2003 10:51 A m.  
 Vol M03 Pg 15745  
 Linda Smith, County Clerk  
 Fee \$ 21.00 # of Pgs 1

## 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 # 5461

Notice of Sale/McCutcheon

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

Four

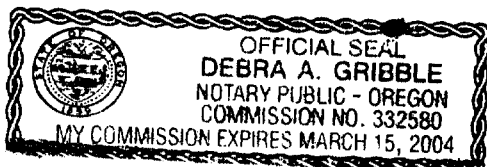
Insertion(s) in the following issues:  
January 31, February 7, 14, 21, 2003

Total Cost: \$607.50

Larry L. Wells  
 Subscribed and sworn  
 before me on: February 21, 2003

Debra A. Snobbe  
 Notary Public of Oregon

My commission expires March 15, 2004



### TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the trust deed described herein is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:  
 1. Grantor: TERRY L. MCCUTCHEON;  
 Trustee: KEY TITLE COMPANY, an Oregon Corporation;  
 Successor Trustee: MICHAEL J. BIRD;  
 Beneficiary: THE HERITAGE FAMILY CORPORATION.

2. Property covered by the trust deed: Lot 7 and 8, Block 9, BUENA VISTA ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, together with that portion of vacated Oregon Avenue vacated by City Ordinance #5045, which inured thereto. PROPERT ADDRESS: 1110 West Oregon Ave., Klamath Falls, OR 97601.

3. The trust deed was dated May 2, 1997, recorded May 8, 1997, AS Vol M97, Page 14073, in the Microfilm records of Klamath County, Oregon.

4. Default for which foreclosure is made is failure to pay the following: (a) Monthly payments of \$337.07 each commencing 7/22/02 and thereafter. (b) Late penalty charge of 5% (\$16.85) on each monthly payment thereafter not made

within 15 days of due date. (c) Taxes for the year 2001/2002 in the amount of \$2006.30, plus interest thereon;

5. The sums owing on the obligation secured by the trust deed is: (a) The principal sum of \$18,000.00, with accrued interest thereon at the rate of 13.000 percent per annum beginning 6/22/02, until paid; (b) Late penalty charge of 5% (\$16.85) on each monthly payment thereafter not made within 15 days of due date. (c) Taxes for the year 2001/2002 in the amount of \$2006.30, plus interest thereon; (d) Title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and beneficiary's interest therein. (e) Any other defaults which may exist prior to the foreclosure sale not hereinabove mentioned for the protection of the above-described real property and beneficiary's interest therein.

6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of Default was recorded on November 14th, 2002, in Vol: M02, Page 66171, Official Records of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on April 1, 2003,

at 10:00 AM, standard time as established by ORS 187.110, at the front steps of AmeriTitle, 222 South 6th Street, Klamath Falls, Klamath County, Oregon, 97601, which is the hour, date and place last set for the sale.

8. Interested persons are notified of the right under ORS 86.753 to have this 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, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this notice, at any time prior to five (5) days before the date the successor trustee conducts the sale.

This is an attempt to collect a debt and any information obtained will be used for that purpose. Dated this 20th day of November, 2002. Michael J. Bird, Successor Trustee. #5461 January 31, February 7, 14, 21, 2003.