

WTC- 61466
Affidavit of Publication Vol M03 Page 87118

State of Oregon, County of Klamath
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 Vol M03 Pg 87118-24
 Linda Smith, County Clerk
 Fee \$ 51.00 # of Pgs 7

**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 # 6154

Notice of Sale/Nicolaysen

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 3, 10, 17, 24, 2003

Total Cost: \$513.00

Subscribed and sworn

before me on: October 24, 2003

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 NICOLAY R. NICOLAYSEN and DAWN J. NESTOR, tenants in common, as grantor, to WESTERN TITLE AND ESCROW, is trustee, in favor of STEVEN TRONO, as beneficiary, dated September 5, 1995, recorded October 15, 1995, in the Microfilm Records of Klamath County, Oregon, in Book No. M95 at page 28095, covering the following described real property situated in the above-mentioned county and state, to-wit:

Lots 61 and 2, Block 1 of Tract 1098 - SPLIT RAIL RANCHOS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The defaults for which the foreclosure is made are: (1) the failure to pay monthly payments of \$275.00 totaling \$3,880.70 in delinquent payments through the payment that became due on July 1, 2003; and (2) failure to pay the real property taxes for 2001-02 and 2002-03 totaling \$492.16, plus interest.

The sum owing on the obligation secured by the trust deed is \$24,334.01, plus accrued interest at the rate of 9.9% per annum totaling \$2,827.93 through May 22, 2003 and accruing thereafter until paid, plus accrued late charges, title expenses, costs, trustee's and attorney's fees in-

curred herein by reason of said default, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

Notice is hereby given that by reason of the default, beneficiary and trustee hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to ORS 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including trustee's and attorney's fees.

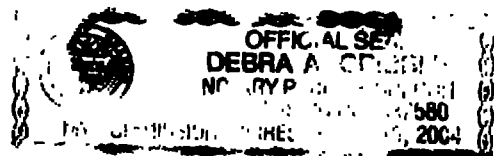
The sale will be held on December 4, 2003, at the hour of 10:00 AM in accord with the standard of time established by

ORS 187.110, at the following place: front entrance to Klamath County Courthouse, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon.

Notice is further given that any person named in ORS 86.753 has the right to have this foreclosure proceeding dismissed and the trust deed reinstated by payment 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 the notice of default, at any time prior to five days before the date last set for the sale.

Dated: July 24, 2003.
 Jim N. Slothower,
 Successor Trustee;
 PO Box 331, Bend,
 OR 97709. (541) 389-7001.
 #6154 October 3, 10, 17, 24, 2003.

Return to:
 Slothower and Petersen
 205 NW Franklin Ave
 Bend, OR 97709



5100 am

87119

AFTER RECORDING,
RETURN TO:

Jim N. Slothower
PO Box 351
Bend, OR 97709

STATE OF OREGON }
County of Deschutes } ss AFFIDAVIT OF MAILING
 } TRUSTEE'S NOTICE OF SALE

I, JIM N. SLOTHOWER, being duly sworn, state as follows:

1. I am the successor trustee of a deed of trust dated September 5, 1995, recorded October 15, 1995, in the Microfilm Records of Klamath County, Oregon, in Book No. M95 at page 28095, covering the following described real property situated in the above-mentioned county and state, to-wit:

Lots 61 and 2, Block 1 of Tract 1098 - SPLIT RAIL RANCHOS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

2. On July 24, 2003, I caused a true copy of the attached Trustee's Notice of Sale to be sent by both first class and certified mail with return receipt requested, to the grantor and to each of the grantor's successors in interest in said trust deed to their last known addresses, to-wit:

Nicolay R. Nicolaysen
Dawn J. Nestor
1350 Charlelton #2
Eugene, OR 97401

Nicolay R. Nicolaysen
Dawn J. Nestor
3715 Harlow Road
Eugene, OR 97401

3. Attached hereto are a Certificate of Non-Military Service and a Trustee's Affidavit as to Non-Occupancy.

DATED this 24th day of November, 2003.



Jim N. Slothower

87120

SUBSCRIBED AND SWORN to before me this 24th day of November, 2003.



Katherine A Sweeney
Notary Public
My Commission Expires: 1/28/04

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TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by NICOLAY R. NICOLAYSEN and DAWN J. NESTOR, tenants in common, as grantor, to WESTERN TITLE AND ESCROW, as trustee, in favor of STEVEN TRONO, as beneficiary, dated September 5, 1995, recorded October 15, 1995, in the Microfilm Records of Klamath County, Oregon, in Book No. M95 at page 28095, covering the following described real property situated in the above-mentioned county and state, to-wit:

Lots 61 and 2, Block 1 of Tract 1098 - SPLIT RAIL RANCHOS,
according to the official plat thereof on file in the office of the
County Clerk of Klamath County, Oregon

The defaults for which the foreclosure is made are: (1) the failure to pay monthly payments of \$275.00 totaling \$3,880.70 in delinquent payments through the payment that became due on July 1, 2003; and (2) failure to pay the real property taxes for 2001-02 and 2002-03 totaling \$492.16, plus interest.

The sum owing on the obligation secured by the trust deed is \$24,334.01, plus accrued interest at the rate of 9.9% per annum totaling \$2,827.93 through May 22, 2003 and accruing thereafter until paid, plus accrued late charges, title expenses, costs, trustee's 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 its interest therein.

Notice is hereby given that by reason of the default, beneficiary and trustee hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to ORS 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including trustee's and attorney's fees.

The sale will be held on December 4, 2003, at the hour of 10:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, at the following place: front entrance to Klamath County Courthouse, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon.

Notice is further given that any person named in ORS 86.753 has the right to have this foreclosure proceeding dismissed and the trust deed reinstated by payment 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 the notice of default, at any time prior to five days before the date last set for the sale.

DATED: July 24, 2003



Jim N. Slothower, Successor Trustee

STATE OF OREGON }
County of Deschutes } ss.

87122

I, the undersigned, certify that I am the attorney for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

F:\WPDOC\JIM\TDF\nicolayeenTNS.wpd

AFTER RECORDING,
RETURN TO:

87123

Jim N. Slothower
PO Box 351
Bend, OR 97709

STATE OF OREGON }
County of Deschutes } ss TRUSTEE'S AFFIDAVIT OF
 NON-OCCUPANCY

I, JIM N. SLOTHOWER, being duly sworn, state as follows:

1. I am the successor trustee of a deed of trust dated September 5, 1995, recorded October 15, 1995, in the Microfilm Records of Klamath County, Oregon, in Book No. M95 at page 28095, encumbering the following described real property situated in the above-mentioned county and state, to-wit:

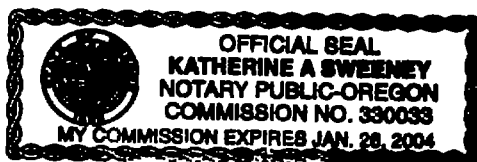
Lots 61 and 2, Block 1 of Tract 1098 - SPLIT RAIL RANCHOS,
according to the official plat thereof on file in the office of the
County Clerk of Klamath County, Oregon

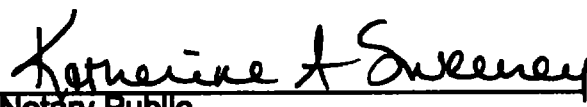
2. I hereby certify that on November 27, 2003, the above described real property was not occupied.

DATED this 27th day of November, 2003.


Jim N. Slothower

SUBSCRIBED AND SWORN to before me this 24 day of November, 2003.




Katherine A. Sweeney
Notary Public
My Commission Expires: 1/28/04

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87124

STATE OF OREGON } ss **CERTIFICATE OF**
County of Deschutes } **NON-MILITARY SERVICE**

1. I am the attorney for the beneficiary on the trust deed in which NICOLAY R. NICOLAYSEN and DAWN J. NESTOR, tenants in common, as grantors, conveyed to WESTERN TITLE AND ESCROW, as trustee, certain real property in Klamath County, Oregon. The trust deed was dated September 5, 1995, recorded October 15, 1995, in the Microfilm Records of Klamath County, Oregon, in Book No. M95 at page 28095. Thereafter, the trust deed was duly foreclosed by advertisement and sale, and the real property covered by the trust deed will be sold at trustee's sale on December 4, 2003.

DATED this 27th day of November, 2003.

Jim N. Slothower

SUBSCRIBED AND SWORN to before me this 124 day of November, 2003.



Katherine A. Sweeney
Notary Public
My Commission Expires: 4/26/04

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