

Affidavit of Publication

State of Oregon, County of Klamath
Recorded 01/27/2004 9:39a m
Vol M04 Pg 4903-5
Linda Smith, County Clerk
Fee \$ 31⁰⁰ # of Pgs 3

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 # 6132

Notice of Sale/Rose

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

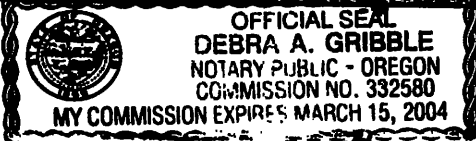
Insertion(s) in the following issues:
September 22, 29, October 6, 13, 2003

Total Cost: \$891.00

Larry L. Wells
Subscribed and sworn
before me on: October 13, 2003

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004



OC: Justin Thome

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by PAUL L. ROSE and CAROL G. ROSE, husband and wife, Grantor, Mountain Title Company of Klamath County is the trustee, and JAMIE O. TUCKNESS is the beneficiary under that certain trust deed dated August 28, 1991 and recorded September 9, 1991, in Volume No. M91 page 17923, Microfilm Records of Klamath County, Oregon. Beneficial interest of said trust deed was assigned by instrument dated July 2, 1992, recorded at Vol. M92 Page 14666, Microfilm Records of Klamath County, Oregon, assignment from Jamie O. Tuckness to Jamie O. Tuckness and Mickey A. McCune, with rights of survivorship. Said trust deed covers the following described real property in Klamath County, Oregon:

Lot 4, Block 47, KLAMATH FALLS FOREST ESTATES, HIGHWAY 66 UNIT, PLAT NO 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Tax Acc. No: 3811-015BO-03700-000, Key No. 468997; and Tax Acc. No. 3811-015BO-03800-000, Key No. 469004.

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:

Payments totaling \$4,265.93, plus \$435 paid by beneficiary to Klamath County, Oregon, for real property taxes, plus real estate taxes for the fiscal year, 2000-2001, delinquent in the amount of \$118.67 plus interest, Acc. No: 3811-015BO-03700-000; for the fiscal year 2000-2001, unpaid balance in the amount of \$44.30 plus interest, Acc. No: 3811-015BO-03800-000; taxes for the year 2001-2002, delinquent in the amount of \$152.02 plus interest, Acc. No: 3811-015BO-03800-000, delinquent in the amount of \$438.22 plus interest; taxes for the year 2002-2003, Acc. No: 3811-015BO-03700-000, delinquent in the amount of \$164.30 plus interest, Acc. No: 3811-015BO-03800-000, delinquent in the amount of \$456.19 plus interest, and all payments as they become due.

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:

Principal in the amount of \$15,916.18 plus interest at the rate of \$3.8929 per diem from September 13, 2003, plus \$635 paid by beneficiary to Klamath County, Oregon, for real property taxes, plus real estate taxes for the fiscal year 2000-2001, delinquent in the amount of

\$118.67 plus interest, Acc. No: 3811-015BO-03700-000; for the fiscal year 2000-2001, unpaid balance in the amount of \$44.30 plus interest, Acc. No: 3811-015BO-03800-000; taxes for the year 2001-2002, delinquent in the amount of \$152.02 plus interest, Acc. No: 3811-015BO-03800-000, delinquent in the amount of \$438.22 plus interest; taxes for the year 2002-2003, Acc. No: 3811-015BO-03700-000, delinquent in the amount of \$164.30 plus interest, Acc. No: 3811-015BO-03800-000, delinquent in the amount of \$456.19 plus interest, and all payments as they become due.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 29, 2004, at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110, at the office of Richard Fairclio, 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 of 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.

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,
Successor Trustee,
#6132, September 22,
29, October 6, 13,
2003.

STATE OF OREGON)
) ss.
County of Klamath)

Court Case No. _____

Case No. _____

I hereby certify that I received on _____ the within:

- () Summons & Complaint () Summons & Petition () Summons Notice
- () Order of Appearance () Waiver of Fees () Petition () Motion
- () Show Cause Order () Affidavit () Complaint () Order
- () Writ of Garnishment () Restraining Order () Citation () Subpoena
- () Small Claim

Trustees Notice of Sale

for service on the within named: Cheryl Lazerman

() SERVED _____ personally and in person.

() SUBSTITUTE SERVICE - By leaving a true copy with _____

a person over the age of fourteen years, who resides at the place of abode of the within named, at said abode: _____

() OFFICE SERVICE - By leaving a true copy with _____

the person in charge of the office maintained for the conduct of business by _____

() By leaving a true copy with _____ of said corporation.

OTHER METHOD Posted on the door at 5905 Bly Mtn. Cutoff Road

() NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find the within named: _____

_____ within Klamath County.

All search and service was made within Klamath County, State of Oregon.

DATE AND TIME OF SERVICE, OR NOT FOUND: 9-17-03 3:15 PM

SERVICE FEES FOR THIS SERVICE ARE: \$ 25.00 plus 60 miles at \$.30/mile for a total amount due of \$ 43.00

ARRITOLA INVESTIGATIONS

By [Signature]
Cale Arritola