

cc: Justin Throne

Affidavit of Publication**STATE OF OREGON,
COUNTY OF KLAMATH**

I, Jeanine P. Day, 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 I know from my personal knowledge that the

Legal # 7149

Notice of Sale/Jacquelyne M. Messer

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:
December 28, 2004, January 4, 11, 18, '05

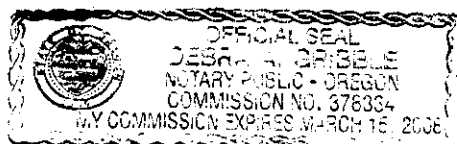
Total Cost: \$742.00

Subscribed and sworn

before me on: January 18, 2005

Notary Public of Oregon

My commission expires March 15, 2008

**NOTICE OF
DEFAULT AND
ELECTION TO
SELL**

Reference is made to that certain trust deed made by JACQUELYNE M. MESSER, Grantor, AMERITITLE as trustee, and LESLIE E. NORTHCUTT & NORMA V. NORTHCUTT, are the beneficiaries under that certain trust deed dated November 1, 1996, and recorded November 4, 1996, in Volume No. M96 page 34754, Microfilm Records of Klamath County, Oregon, covering the following-described real property.

In Klamath County, Oregon: The East Half of Lots 19 and 20 in Block 14 of INDUSTRIAL 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.

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 \$7,265.66 plus interest in the amount of \$6.44479 per day from December 15, 2004, plus the following real property taxes: Taxes for the fiscal year 2002-2003, partially paid, balance due \$292.20 plus interest, taxes for the fiscal year 2003-2004, delinquent in the amount of \$379.23 plus interest, taxes for the fiscal year 2004-2005, a lien now due and payable, in the amount of \$385.73 plus interest. Account No: 3809-033BA-17300-000; Key No. 416035.

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:

\$29,321.02 plus interest in the amount of \$6.4479 per diem from December 15, 2004, plus the following real property taxes: Taxes for the fiscal year 2002-2003, partially paid, balance due \$292.20 plus interest, taxes for the fiscal year 2003-2004, delinquent in the amount of \$379.23 plus interest, taxes for the fiscal year 2004-2005, a lien now due and payable, in the amount of \$385.73 plus interest. Account No: 3809-033BA-17300-000; Key No. 416035.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 28, 2005, at the hour of 10:00 A.M., in accord with the standard of time established by ORS 187.110, at the office of Justin Throne, 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 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.

Justin Throne, Successor Trustee.
#7149 December 28, 2004, January 4, 11, 18, 2005.

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

Notice of Default and Election to sell

for service on the within named: Occupants at 428 Owens St.

() 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 428 Owens St.

() 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: 2-10-05 6:37 PM

SERVICE FEES FOR THIS SERVICE ARE: \$ 30.⁰⁰ plus _____ miles
at \$.30/mile for a total amount due of \$ 30.⁰⁰

ARRITOLA INVESTIGATION

By _____

Cale Arritola

State of Oregon, County of Klamath
Recorded 03/23/2005 10:59 a m
Vol M05 Pg 19096-97
Linda Smith, County Clerk
Fee \$ 26.⁰⁰ # of Pgs 2