

Affidavit of Publication

M05-66023

Klamath County, Oregon

10/07/2005 10:11:48 AM

Pages 2 Fee: \$26.00

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

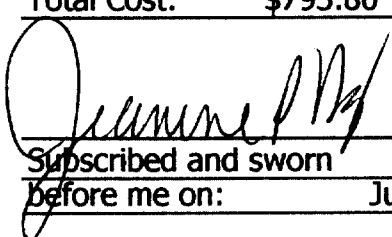
Legal # 7587

Notice of Sale/Carmel Weeks

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:
June 17, 24, July 1, 8, 2005

Total Cost: \$793.80

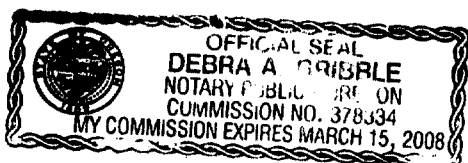

Subscribed and sworn

before me on: July 8, 2005


Notary Public of Oregon

My commission expires March 15, 2008

AFTER RECORDING RETURN TO:
Justin Throne, Attorney
280 Main Street
Klamath Falls, OR 97601



**TRUSTEE'S
NOTICE OF SALE**

Reference is made to that certain trust deed made by Carmel Weeks, as grantor, to Aspen Title and Escrow Inc., as trustee, in favor of Owen W. MacPhee and Neva K. MacPhee, husband and wife, as beneficiary, dated December 4, 2000, recorded on December 11, 2000, in the Records of Klamath County, Oregon, in volume No. M00 at page 44314, covering the following described real property situated in that county and state, to-wit:

EXHIBIT "A"

A parcel of land lying in Lots 44 and 45, Block G, HOME-CREST, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at the Northwest corner of Lot 44 of said Block G; thence East along the North line of said Lot 44, 123.66 feet; thence South 26 degrees 00' East 97.0 feet; thence South 79 degrees 00' West 138.0 feet; thence North 45 degrees 00' West along the Northeastly line of Crest Street (Faircrest Drive on the official plat of Homecrest) 55.1 feet; thence North along the West line of said Lot 44, to the point of beginning. CODE 41 MAP 3909 3AB TL 4600.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made in the grantor's failure to pay when due the following sums: The December 11, 2004 monthly installment of \$585.79 and each month thereafter, plus buyer's fees of \$45.00, plus late charges of \$175.74, plus fire insurance paid by lienholder in the amount of \$212.21 with interest thereon at 13% per annum from April 14, 2005 until paid.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable; those sums being the following, to-wit: The unpaid principal balance of \$47,518.50 with interest thereon at 13% interest per annum from November 17, 2004 until paid, plus late charges of \$175.74, plus fire insurance paid by lienholder of \$212.21 with interest thereon at 13% per annum from April 14, 2005 until paid.

WHEREFORE, notice is hereby given that the undersigned trustee will on September 8, 2005 at the hour of 10:30 A.M. in accord with the standard of time established by ORS 187.110, at Law 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 real property described above which the grantor had or had power to convey at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of the 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

those sums or 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 and attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, 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 of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: May 3, 2005.
Patrick J. Kelly,
Trustee.
State of Oregon,
County of Josephine)ss.
I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.
Patrick J. Kelly, Attorney for Trustee.
#7587 June 17, 24, July 1, 8, 2005.