

Affidavit of Publication

M05-68274

Klamath County, Oregon

11/04/2005 09:11:59 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 # 7790

Notice of Sale/Mignot Trust

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 16, 23, 30, October 7, 2005

Total Cost: \$999.60

Subscribed and sworn

before me on: October 7, 2005

Notary Public of Oregon

My commission expires March 15, 2008

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Deed of Trust made by SIERA, CASCADE, LLC, an estate in fee simple, as Grantor, Ameritite is the Trustee, in favor of the MIGNOT TRUST utd 4/20/92 (Valerie Albright, Successor Trustee), as Beneficiary, dated January 7, 2002, recorded January 11, 2002, at Vol. M02, Page 1950-1960 Official Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

PARCEL 1:

A parcel of land situate in the SW1/4 of the SW1/4 of Section 21, Township 27 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Southwest corner of Section 21, Township 27 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence North 800 feet along the Section line; thence East 435 feet; thence South 800 feet to the Section line; thence West 435 feet along the Section line to the point of beginning.

PARCEL 2:

The W1/2 NW1/4 of Section 28, Township 27 South, Range 8 East, Willamette Meridian, Klamath County, Oregon; EXCEPTING THEREFROM all that portion that lies within State Highway 97.

The Trustee and Beneficiary have elected to sell said real property to satisfy the obligations

secured by the Trust Deed and a Notice of Default has been recorded pursuant to ORS 86.735. The default for which foreclosure is made is Grantor's failure to pay when due the following sums: Failure to pay eleven monthly payments from July 17, 2004 through May 17, 2005, in the amount of \$1,915.24 each.

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:

- 1) Principal amount: \$54,907.18;
- 2) Interest on principal amount at the rate of 6.0%, from May 17, 2005, until paid;
- 3) \$300.00 for the cost of Trustee's foreclosure report; and,
- 4) All other costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and attorney's fees not exceeding the amount provided by Oregon Revised Statutes (ORS) 86.753 associated with this foreclosure and any sums expended by Beneficiary to protect the property, or its interests therein during the pendency of this proceeding.

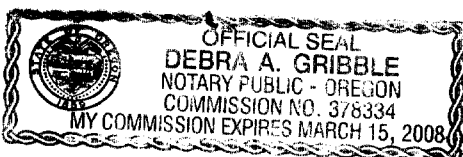
Notice hereby is given that the Beneficiary and Trustee, by reason of said default, have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 to 86.795, and to cause to be sold at

public auction to the highest bidder for cash the interest in the said described property which the Grantor had, or had the power to convey, at the time of the execution by him of the Trust Deed, together with any interest the Grantor or his successors-in-interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed and the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of Trustee's attorneys.

Said sale will be held at the hour of 2:00 p.m., as established by Section 187.110 of Oregon Revised Statutes on November 16, 2005 at the following place: The front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601, which is the hour, date and place fixed by the Trustee for said sale.

Other than shown of record, neither the said Beneficiary nor the said Trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property heretofore described subsequent to the interests of the Trustee in the Trust Deed, or of any successor-in-interest to the Grantor or of any lessee or other person in possession of or occupying the property, except: None.

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to



five days before the Trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary of the entire amount due at the time of cure under the terms of the obligation (other than such portion 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 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's and attorney's fees not exceeding the

amounts provided by said ORS 86.753.

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 of which is secured by said trust deed, and the words "Trustee" and "Beneficiary" include their respective successors-in-interest, if any.

Dated: June 15, 2005. Lee A. Mills, Successor Trustee. State of Oregon) County of Jackson) ss. The foregoing instrument was acknowledged before me this 15th day of June, 2005, by Lee A. Mills. Jana L. Goodman, Notary Public, State of Oregon. My Commission expires: Sept. 14, 2007.

#7790 September 16, 23, 30, October 7, 2005.