

# Affidavit of Publication

M06-13102

Klamath County, Oregon

06/27/2006 11:25:22 AM

Pages 2 Fee: \$26.00

Return to:  
Jim Herlings

MTC 67516

## 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 # 7958

Notice of Sale/Bruce DeMello

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:  
November 28, December 5, 12, 19, 2005

Total Cost: \$1,176.00

Subscribed and sworn  
before me on: December 19, 2005

Notary Public of Oregon

My commission expires March 15, 2008

66035. Official Re-  
cords of Klamath  
County, Oregon,  
covering the follow-  
ing described real  
property situated in  
said county and  
state, to-wit:

Lots 23, 24 and 25,  
Block 91, Klamath  
Falls Forest Estates  
Highway 66 Unit,  
Plat No. 4, accord-  
ing to the official  
plat thereof on file  
in the office of the  
County Clerk of Klamath County, Ore-  
gon.

Code 114 Map 3711-  
22AO TL 2800;  
Code 36 Map 3711-  
22AO TL 2900 & 3000.

The undersigned  
hereby certifies that  
no assignments of  
the Trust Deed by  
the Trustee or by  
the Beneficiary and  
no appointments of  
a Successor Trustee  
have been made ex-  
cept as recorded in  
the mortgage re-  
cords of the county  
or counties in which  
the above-described  
real property is situ-  
ated; further, that  
no action has been  
instituted to recover  
the debt, or any part  
thereof, now re-  
maining secured by  
the said Trust Deed,  
or, if such action  
has been instituted,  
such action has been  
dismissed.

### AMENDED NOTICE OF SALE

Reference is made  
to that certain Deed  
of Trust made by  
BRUCE DEMELLO,  
as Grantor, and  
Amerititle, as Trust-  
ee, in favor of ORAL  
L. BELL and HEL-  
EN BELL, TRUST-  
EES OF THE  
BELL'S MASTER  
COLLABORATIVE  
TRUST DATED  
MARCH 9, 1994, as  
Beneficiary, (previ-  
ously erroneous re-  
ferred to as THE  
BELL MASTER  
COLLABORATIVE  
TRUST DATED  
MARCH 9, 2000)  
dated OCTOBER 25,  
2002, recorded No-  
vember 14, 2002, in  
Vol. M02, Page

There is a default by  
the Grantor or other  
person owing an ob-  
ligation, the per-  
formance of which  
is secured by said  
Trust Deed, or by  
their successor-in-  
interest, with respect  
to provisions therein  
which authorize sale  
in the event of de-  
fault of such provi-  
sion; the default for  
which foreclosure is  
made is Grantor's  
failure to pay when  
due the following  
sums:

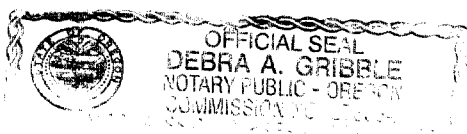
Failure to pay the  
July, August, Sep-

tember, October,  
November and De-  
cember 2004, and  
January and Febru-  
ary 2005 payments  
in the amount of  
\$408.96 each, plus  
each payment there-  
after, together with  
late charges for  
each unpaid month  
of \$28.20 each.

By reason of said  
default, the Benefi-  
ciary has declared  
all sums owing on  
the obligation se-  
cured by said Trust  
Deed immediately  
due and payable,  
said sums being the  
following, to-wit:

1) Principal amount  
- \$51,908.68;  
2) Interest on the  
principal amount of  
\$176.50 to March 3,  
2003, and thereafter  
at the rate of 12%  
per annum, from Ju-  
ly 8, 2004, until paid;  
3) Late charges of  
\$28.20 for July, Au-  
gust, September,  
October, November,  
and December 2004,  
and for each month  
a payment is late;  
4) The cost of Trust-  
ee's foreclosure re-  
port; and,  
5) All other costs  
and expenses actual-  
ly incurred in en-  
forcing the obliga-  
tion and trust deed,  
together with the  
trustee's and attor-  
neys fees not ex-  
ceeding the amount  
provided by Oregon  
Revised Statutes  
(ORS) 86.753 associ-  
ated with this fore-  
closure and any  
sums expended by  
Beneficiary to pro-  
tect the property, or  
its interests therein  
during the pendency  
of this proceeding.

Notice was previous-  
ly given that the  
Beneficiary and  
Trustee, by reason  
of said defaults,  
elected to foreclose  
and do hereby elect  
to foreclose said  
Trust Deed by ad-  
vertisement and  
sale pursuant to Or-  
egon Revised Stat-



utes 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. The sale was stayed pursuant to a bankruptcy filing by Mr. Demello but said stay was removed on October 21, 2005, by an order dismissing the case and, therefore, pursuant to ORS 86.755(4), the sale shall proceed as provided herein. The sale date was previously continued by a representative of the Trustee appearing at the sale who announced the continuance thereof to a date certain.

Said sale will be held at the hour of 2:00 p.m., as established by Section 187.110 of Oregon Revised Statutes on February 17, 2006 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 hereinabove 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: November 18, 2005. Todd B. Maddox, Successor Trustee, State of Oregon) County of Jackson) ss. The foregoing instrument was acknowledged before me this 18th day of November, 2005, by Todd B. Maddox, Marie A. Bachelet, Notary Public, State of Oregon. My Commission expires: October 25, 2006. #7958 November 28, December 5, 12, 19, 2005.