

2006-022410

Klamath County, Oregon



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11/09/2006 08:43:11 AM

Fee: \$21.00

## 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 # 8709

Notice of Sale/Mark Cobb

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

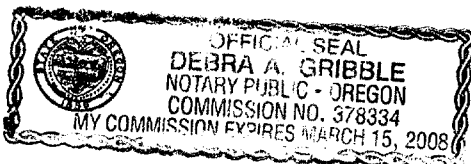
Insertion(s) in the following issues:  
September 22, 29, October 6, 13, 2006

Total Cost: \$662.68

Subscribed and sworn by Jeanine P Day  
before me on: October 13, 2006

Notary Public of Oregon

My commission expires March 15, 2008



#### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Mark Cobb, as grantor, to Amerifile, as trustee, in favor of Donna Roberts and Tamara M. Nessman, as beneficiary, dated May 13, 2004, recorded May 19, 2004, in the mortgage records of Klamath County, Oregon, in volume No. M04 at page 31304, or as No. covering the following described real property situated in said county and state, to-wit:

Lots 16 and 17, Block 8, SPRAGUE RIVER, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. TOGETHER with that portion inured thereto by vacation under Order No. 99-030 recorded September 10, 1998 in Volume M98, page 33404, Microfilm Records 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 for which the foreclosure is made is grantor's failure to pay when due the following sums: \$300.49 on 4/17/06 and 5/17/06 as well as 2005/06 real property taxes.

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: \$15,804.50 plus interest from 5/24/06.

WHEREFORE, notice hereby is given that the undersigned trustee will on November 9, 2006 at the hour of 10:00 A.M. in accord with the standard of time established by ORS 187.110, at 419 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 grantor of the said trust deed, together with any interest which the grantor or grantor's 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 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 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 5, 2006.  
Michael L. Spencer,  
Successor Trustee.

State of Oregon,  
County of Klamath) 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.  
Michael L. Spencer,  
Attorney for said Trustee.  
#8709 September 22, 29, October 6, 13, 2006.