

MTC 81384

2008-003135

Klamath County, Oregon



00041612200800031350020024

03/12/2008 11:25:35 AM

Fee: \$26.00

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 # 9791

Notice of Sale/Jeffrey O. Culley

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:

January 20, 27, February 3, 10, 2008

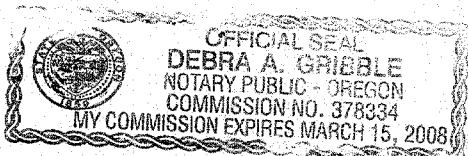
Total Cost: \$986.99

Subscribed and sworn by Jeanine P Day

Before me on: February 10, 2008

Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S NOTICE OF SALE January 6, 2007, hour of 10:00 o'clock a.m., in accord with the standard of time established by ORS 187.110, at the following place: inside the first floor lobby of the Klamath County Courthouse, 316 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 described real property 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 sale, including a reasonable charge by the trustee. Notice is further given that for reinstatement or payoff quotes requested pursuant to ORS 86.757 and 86.759 must be timely communicated in a written request that complies with that statute addressed to the trustee either by personal delivery to the trustee's physical office at 420 SE Jackson Street, Roseburg, Oregon, or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in his notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property

Reference is made to that certain trust deed made by Jeffrey O. Culley, as grantor, to Umpqua Title & Escrow Service, as trustee, in favor of Charles B. Becherer and Mary A. Becherer, as beneficiary, dated March 31, 1998, recorded April 6, 1998, in the microfilm records of Klamath County, Oregon, in Book M98, Page 11153 covering the following described real property situated in said county and state, to-wit:

Lot 16 SUMMERS HEIGHTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 5333 Hilldale Street, Klamath Falls, OR 97603

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 is grantor's failure to pay when due the following sums: monthly payments of \$619.64 beginning January 6, 2007, plus late charges of \$30.99 per month beginning July 21, 2007; plus advances of \$1,175.00; plus taxes of \$1,119.18, together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable. By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to-wit: \$28,951.86 with interest thereon at the rate of thirteen (13%) percent per annum beginning June 4, 2007; plus late charges of \$30.99 each month beginning July 21, 2007 until paid; plus advances of \$1,175.00; and taxes of \$1,119.18; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice is hereby given that the undersigned trustee will May 16, 2008, at the

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will only receive information concerning the lender's estimated or actual bid. 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 date set for the not then be due had trustee's sale will be no default occurred) honored only at the and by curing any discretion of the other default com-beneficiary or if repaid of herein quired by the terms that is capable of of the loan decu- being cured by ten-ments. In construing dering the perform- this notice, the sin- ance required under- gular includes the the obligation or plural, the word trust deed, and in "grantor" includes addition to paying any successor in in- said sums or tender- terest to the grantor ing the performance as well as any other necessary to cure person owing an ob- the default, by pay- ligation, the per- ing all costs and ex- formance of which penses actually in- is secured by said curred in enforcing trust deed, and the the obligation and words "trustee" and trust deed, together "beneficiary" includ- with trustee's and ed their respective attorney's fees not successors in inter- exceeding the est, if any. amounts provided by said ORS 86.753. The sale is subject Requests from per- to the trustee's rules sons named in ORS of auction. 86.753 for reinstatement quotes re- DATED THIS 20th ceived less than six day of January, days prior to the 2008.

Daniel W. Seitz,
Successor Trustee

THIS COMMUNICA-
TION IS FROM A
DEBT COLLECTOR
AND IS AN AT-
TEMPT TO COL-
LECT A DEBT.
ANY INFORMA-
TION OBTAINED
WILL BE USED
FOR THAT PUR-
POSE.

#9791 January 20, 27,
February 3, 10, 2008.