



00064609200900055090030031

04/21/2009 10:47:42 AM

Fee: \$31.00

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Heidi Wright, Publisher,
being first duly sworn, depose and say
that I am 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 # 10914

Notice of Sale/John M & Julianne M Amaral

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:

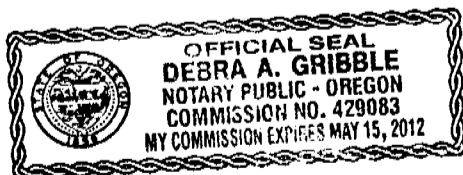
February 24, March 3, 10, 17, 2009

Total Cost: \$577.64

Subscribed and sworn by Heidi Wright
before me on: March 17, 2009

Debra A Gribble
Notary Public of Oregon

My commission expires May 15, 2012



NOTICE OF DEFAULT / NOTICE OF SALE

To: Grantors John M. Amaral and Julianne M. Amaral, Husband and Wife, pursuant to ORS 86.735, Beneficiary Cecil E. Layman and Barbara A. Layman, of that certain Trust Deed, dated August 13, 2006, and recorded August 18, 2006, in vol. 2006, p. 016658 Official Records of Klamath County, has elected declare the entire amount owing under the terms of the obligation secured by said Trust Deed and to sell the trust property to satisfy the obligation.

The Trustee was Western Title & Escrow Company, 320 Upper Terrace Drive, Suite 102, Bend, OR 97702. The Successor Trustee is Ken Brinich, attorney, whose address is Hendrix Brinich & Bertalan, LLP, 716 NW Harriman, Bend, OR 97701. The description of the real property is: Parcel 2 of Land Partition 27-04, said Land Partition being a replat of Parcel 1 of Major Land Partition 80-27 and being situated in the E _ Ne _ and the E _ w _ NE _ of Section 13, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

The Trust Deed is in default for failure to make monthly payments in the amount of \$684.76, and the failure to pay real property taxes in the amount of \$139.56 plus statutory interest, each of which is required under the term of the Trust Deed. The balance owed on the obligation, in addition to the real property taxes, is \$82,507.79, as of the date of this Notice.

Unless the defaults are cured pursuant to ORS 86.753, wherein five days prior to the date of sale the default may be cured by payment of the sums secured by the Trust Deed in 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, plus any other default of the trust deed obligation that is capable of being cured may be cured by tendering the performance required, attorney fees, publication costs, recording fees and the cost of the foreclosure title policy.

Date of Sale: April 30, 2009

Time of Sale: 10:00 am

Place of Sale: In Klamath County, at the intersection of Highway 97 and the Klamath County line.

/Ken Brinich/ 12/24/08

Ken Brinich, OSB 82484

Successor Trustee

#10914 February 24, March 3, 10, 17, 2009.

PROOF OF SERVICE

STATE OF OREGON)
) ss.
County of Deschutes)

I, Ken Brinich, successor trustee of that certain trust deed, dated August 13, 2006, and recorded at document number 2006-016658, Official Records of Klamath County, Oregon (the "Trust Deed"), do hereby say as follows:

1. The property subject to the Trust Deed is described as follows:

Parcel 2 of Land Partition 27-04, said Land Partition being a replat of Parcel 1 of Major Land Partition 80-27 and being situated in the E ½ Ne ¼ and the E ½ w ½ NE ¼ of Section 13, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

2. The Trust Deed grantors are:

John M. Amaral and Julianne M. Amaral, Husband and Wife


3. Pursuant to ORS 86.750(3) the following is attached:

Exhibit "1", is proof that the publication of the Notice of Sale was made as required.

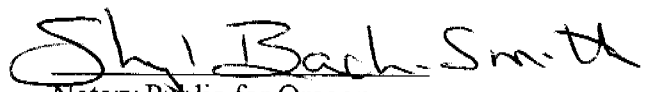
4. Pursuant to ORS 86.750(3) mailings of the notice of sale were made on interested parties as required by ORS 86.740, by certified mail return receipt requested and by first class mail, postage prepaid to:

John M. Amaral and Julianne
M. Amaral
21 Hoffman Ave.
Napa, CA 94559

John M. Amaral and Julianne
M. Amaral
3661 Harkness St.
Napa, CA 94558


Ken Brinich, OSB 82484
Successor Trustee

The foregoing instrument was acknowledged before me by Ken Brinich this 15th day of April, 2009.


Notary Public for Oregon
My Commission Expires: 9-13-2012

