

2009-013513

Klamath County, Oregon



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10/16/2009 02:48:24 PM

Fee: \$37.00

AFTER RECORDING, RETURN TO:
 William M. Ganong, Atty at Law
 514 Walnut Avenue
 Klamath Falls OR 97601

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 # 11554

Notice of Sale/Anthony S. Agueda III

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:

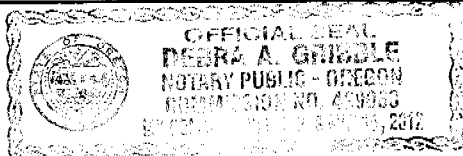
August 29, September 5, 12, 19, 2009

Total Cost: \$833.41

Jeanine P Day
 Subscribed and sworn by Jeanine P Day
 before me on: September 19, 2009

Debra A Griddle
 Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE YOU ARE GIVEN NOTICE: THAT THE BENEFICIARY AND TRUSTEE HAVE ELECTED TO SELL THE PROPERTY DESCRIBED BELOW TO SATISFY THE FOLLOWING DE- SCRIBED OBLIGATION:

1.
 A. Grantor: Anthony S. Agueda III
 B. Successor Trustee: William M. Ganong
 C. Beneficiary: Lowell Lee Weatherford III and Jill Weatherford

2. The legal description of the property covered by the subject Trust Deed is: Lots 6 and 7, Block 4, Sixth Street Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon. Klamath County Assessor's Account No. R-3909-004AA and Property ID No. R530884
 The book, page number, and the date the subject Trust Deed was recorded in the Mortgage Records of Klamath County, Oregon are: Book: Volume M01 Page: 24168 Date Recorded: May 25, 2001

3. The defaults for which the foreclosure is made are the Grantor's failure to pay the monthly installments of \$305.81 due and payable since September 25, 2008, plus the collection escrow fee of \$2.50 per month since that date; Grantor's failure to pay the real property taxes and assessments for tax years 2005-2006, 2006-2007, and 2007-2008 in the amount of \$1,628.48, plus interest, levied against the property before they became delinquent; and Grantor's failure to keep the property insured.

4. The principal and interest owing on the obligation secured by the subject Trust Deed as of May 22, 2009 is \$18,562.81, plus interest at the Note rate of 8.0% from May 23, 2009 until paid in full. Also owing is the sum of \$664.45, plus interest thereon at the rate of 8.0% per annum from June 1, 2009, until paid for delinquent real property taxes and interest paid for by the beneficiaries to keep the property from going into County Tax Foreclosure.

5. The Beneficiary and the Trustee have elected to foreclose the above referenced Trust Deed pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.

6. The trustee will conduct a sale of the above described property at 10 a.m. on the 27th day of October, 2009 at the front entrance to the office of William M. Ganong at 514 Walnut Avenue, Klamath Falls, Oregon.

7. Pursuant to ORS 86.753, the Grantors, the Grantors' successor in interest to all or any part of the above described property, any beneficiary under a subordinate Trust Deed, or any person having a subordinate lien or encumbrance of record on the property, may cure the default or defaults at any time prior to five days before the above said date of sale by paying 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. In addition, the person affecting the cure shall pay all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and attorney's fees specified in the said statute.

In construing this instrument, 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 persons owing an obligation, the performance of which is secured by said Trust Deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated this 9th day of June, 2009.
 William M. Ganong, Trustee
 #11554 August 29, September 5, 12, 19, 2009.