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Fee: \$37.00

## AFFIDAVIT OF PUBLICATION STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, Finance Director, being duly sworn, depose and say that I am the principle 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#13873 SALE GILBERTSON  
AMENDED TRUSTEE'S NOTICE

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

Insertion(s) in the following issues:

11/20/2011 11/27/2011 12/04/2011 12/11/2011

Total Cost: \$1143.62

*Jeanine P. Day*  
Subscribed and sworn by Jeanine P. Day before me on:  
12th day of December in the year of 2011

*Debra A. Gribble*  
Notary Public of Oregon  
My commission expires on May 15, 2012



### AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Gilbertson Enterprises, LLC, an Oregon Limited Liability Company, as grantor, to Amerititle, an Oregon Corporation, as trustee, in favor of South Valley Bank & Trust, as beneficiary, dated April 26, 2004, recorded on May 6, 2004, in the Records of Klamath County, Oregon, in volume No. M04 at page 27734, covering the following described real property situated in that county and state, to-wit:

#### PARCEL 1

Lot 7, Block 5 of TRACT NO. 1163 - CAMPUS VIEW, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

#### PARCEL 2

A parcel of land being the S1/2 of Lot 6, Block 5 of "Tract No. 1163 - Campus View", a duly recorded subdivision, situated in the SE1/4NW1/4 of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Easterly corner common to Lots 6 and 7 of said Block 5; thence North 47 degrees 42'17" West 240.74 feet to the Westerly corner common to said Lots 6 and 7; thence Northeasterly along the Westerly line of said Lot 6 on the arc of a curve to the left (radius point bears North 47°42'17" West 333.64 feet and central angle equals 07°41'37") 44.80 feet; thence South 56°37'13" East 261.41 feet to a point on the Easterly line of said Lot 6; thence South-westerly along the Easterly line of said Lot 6 on the arc of a curve to the right (radius point bears North 43°11'21" West 445.28 feet and central angle equals 08°05'59") 62.95 feet and South 54 degrees 54'08" West 23.55 feet to the point of beginning.

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 in grantor's failure to pay when due the following sums:

- 1) Monthly payments of \$705.55 due on April, May, June and July 15, 2011 and the 15<sup>th</sup> of each month thereafter.
- 2) Late fees of \$35.28 for the months of April through July 2011 and each month thereafter.
- 3) Klamath County Property Taxes for the following years: 2008-9, 2009-10, 2010-11, totaling \$8,150.86, plus interest thereafter.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

\$79,392.49, plus interest at 8% per annum from August 1, 2011 until paid, late fees of \$141.12, plus \$35.28 for August 2011 and thereafter, plus attorney fees, trustee fees, appraisal fees, title reports and other costs of foreclosure and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on January 11, 2012, at the hour of 11 o'clock, A. M., in accord with the standard of time established by ORS 187.110, at 803 Main Street, Ste 201 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 real property described above 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 the 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 those 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 and attorney fees not exceeding the amounts provided by 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED August 15, 2011.

/s/James R. Uerlings, Successor Trustee  
803 Main Street, Ste 201, Klamath Falls, OR 97601,  
541-884-8101  
#13873 November 20, 27, December 04, 11, 2011.