

AFTER RECORDING RETURN TO:
FRANK C. ROTE, III, Attorney
612 NW FIFTH STREET
GRANTS PASS, OR 97526

2017-000531
Klamath County, Oregon
01/19/2017 11:14:00 AM
Fee: \$42.00

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

I, Pat Bergstrom, Legal Specialist, 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 2701 Foothills Blvd, Klamath Falls, OR 97603 in the aforesaid county and state; that I know from my personal knowledge that the Legal#17392 SALE MATTHIAS TRUSTEE'S AMENDED 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:
11/22/2016 11/29/2016 12/06/2016 12/13/2016

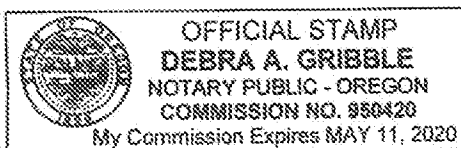
Total Cost: \$1355.00

Pat Bergstrom

Subscribed and sworn by Pat Bergstrom before me on:
13th day of December in the year of 2016

Debra A. Gribble

Notary Public of Oregon
My commission expires on May 11, 2020



TRUSTEE'S AMENDED NOTICE OF SALE

Reference is made to that certain trust deed made by Thomas Matthias and Jeannette K. Matthias, with full rights of survivorship, as Grantors, to AmeriTitle, as Trustee, and Owen W. MacPhee and Neva K. MacPhee Trustees of the Owen W. MacPhee Family Trust dated March 20, 2008, as Beneficiary, dated September 29, 2011, notarized on October 13, 2011, and recorded on October 18, 2011, in the Official Records of Klamath County, Oregon, as Instrument No. 2011-011875, covering the following described real property situated in Klamath County, Oregon, to-wit:

TRACT 92 OF YALTA GARDENS, IN THE COUNTY OF KLAMATH, STATE OF OREGON, AND A PORTION OF TRACT 93 OF YALTA GARDENS, IN THE COUNTY OF KLAMATH, STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 93; THENCE NORTH ALONG THE EAST BOUNDARY LINE OF SAID TRACT 93 A DISTANCE OF 15 FEET TO A POINT; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID TRACT A DISTANCE OF 91 FEET TO A POINT; THENCE SOUTH, AND PARALLEL TO THE EAST LINE OF SAID TRACT A DISTANCE OF 15 FEET TO THE SOUTH LINE OF SAID TRACT; THENCE EAST ALONG SAID SOUTH LINE A DISTANCE OF 91 FEET TO THE POINT OF BEGINNING.

Said real property is commonly known as: 1724 Homedale Road, Klamath Falls, Oregon, 97603. FRANK C. ROTE, III, Attorney, OSB #893898, is now the Successor Trustee. His office is located at 612 NW Fifth Street, Grants Pass, OR 97526. His telephone number is (541) 479-2678.

Both the beneficiary and/or 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 defaults for which the foreclosure is made are grantor's failure to pay when due the following sums:

- (a) Failure to make the payment of \$444.89 due March 14, 2015, and the payment due on the 15th of each and every month thereafter.
- (b) Failure to pay the late fee of \$22.14 for the March, 2015, payment through the payment due August, 2016, and for each and every month thereafter for which an installment is due.
- (c) Title expense, costs, trustee's fees and attorney fees incurred herein by reason of said default.
- (d) Failure to pay real property taxes in the amount of \$2,054.81, paid by the beneficiary.
- (e) Failure to pay real property taxes for 2013-2014 through 2015-2016 in the amount of \$4,458.79 plus unpaid interest.

By reason of the defaults, the beneficiary has declared all sums owing on the obligation that the trust deed secures immediately due and payable, those sums being the following, to-wit:

- (a) The principal sum of \$13,370.18, with accrued interest thereon at the rate of 12% per annum beginning July 2, 2016, until paid.
- (b) Title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by beneficiary for protection of the above described real property and beneficiary's interest therein.
- (c) Any other defaults which may exist prior to the foreclosure sale not hereinabove mentioned for the protection of the above-described real property and beneficiary's interest therein.

WHEREFORE, notice is hereby given that the beneficiary on February 14, 2017, at the hour of 10:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, at the front steps of the Klamath County Circuit Court, located at 316 Main Street, Klamath Falls, State of Oregon, the interest in the real property described above which the grantor had or had power to convey at the time the grantor executed the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed will be sold by the undersigned trustee at public auction to the highest bidder for cash 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 86.778 that the right exists under ORS 86.778 to have the proceeding dismissed and the trust deed reinstated by paying the entire amount then due, together with costs, trustee's fees and attorney fees, and by curing any other default complained of in the notice of default, at any time that is not later than five days before the date last set for the sale.