

11123

## TRUSTEE'S NOTICE OF SALE

Vol. M82 Page 4976

Reference is made to that certain trust deed made, executed and delivered by JERRY D. McGUIRE and WILLIAM L. SISEMORE, who acquired title as Constance A. Craft, as grantor, to TOWN AND COUNTRY MORTGAGE AND INVESTMENT CO., an Oregon Corporation, as trustee, to secure certain obligations in favor of TOWN AND COUNTRY MORTGAGE AND INVESTMENT CO., an Oregon Corporation, as beneficiary, dated May 4, 19 81, recorded May 5, 19 81, in the mortgage records of Klamath County, Oregon, in book M81 No. M81 at page 7993, covering the following described real property situated in said county and state, to-wit:

The S<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Section 13, Township 35 South, Range 12, East of the Willamette Meridian, County of Klamath, State of Oregon.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

\$90.38 due September 4, 1981;  
90.38 due October 4, 1981;  
90.38 due November 4, 1981; and  
90.38 due December 4, 1981;

By reason of said default the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following, to-wit:

\$2,341.36, plus interest from August 4, 1981, together with late charges.

A notice of default and election to sell and to foreclose was duly recorded December 15, 19 81, in book M81 at page 21427 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Tuesday, the 27th day of April, 1982, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Room 204, 540 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 said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said 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 any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred) together with costs, trustee's and attorney's fees at any time prior to five days before the date set for said sale.

In construing this notice and whenever the context hereof so requires, 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 person owing an obligation, the performance of which is secured by said trust deed, and their successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the trust deed.

DATED at Klamath Falls, Oregon, December 15, 19 81

William L. Sise

Trustee

State of Oregon, County of \_\_\_\_\_, ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee; that I have carefully compared the foregoing copy of trustee's notice of sale with the original thereof and that the foregoing is a true, correct and exact copy of the original trustee's notice of sale and of the whole thereof.

DATED at \_\_\_\_\_, Oregon, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Attorney for said Trustee

4977

AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR,  
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE

STATE OF OREGON, County of Klamath, ss:

I, William L. Sisemore

, being first duly sworn, depose, say and certify that:  
At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by registered or certified mail to each of the following named persons at their respective last known addresses, to-wit:

NAME	ADDRESS
Constance A. McGuire	P. O. Box 173 Sacramento, California 95801
Jerry D. McGuire	P. O. Box 173 Sacramento, California 95801

Said persons include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any person requesting notice as provided in ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by William L. Sisemore, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on December 15, 1981. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before me this 15th day of December, 1981.  
(SEAL) Clara M. Farney  
Notary Public for Oregon. My commission expires 2-5-85.

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF  
SALE TO GRANTOR, SUCCESSOR IN INTEREST TO  
GRANTOR, AND PERSON REQUESTING NOTICE

RE: Trust Deed from

Grantor

TO

Trustee

AFTER RECORDING RETURN TO  
William L. Sisemore  
540 Main Street  
Klamath Falls, Oregon 97601

(DON'T USE THIS  
SPACE; RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

STATE OF OREGON,

County of \_\_\_\_\_

I certify that the within instru-  
ment was received for record on the  
\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded  
in book/reel/volume No. \_\_\_\_\_ on  
page \_\_\_\_\_ or as document/tape/file/  
instrument/microfilm No. \_\_\_\_\_  
Record of Mortgages of said County.  
Witness my hand and seal of  
County affixed.

By \_\_\_\_\_ TITLE  
NAME Deputy

# Affidavit of Publication

4978

STATE OF OREGON,  
COUNTY OF KLAMATH

I, Sarah L. Parsons, Office  
Manager  
being first duly sworn, depose and say that  
I am the principal clerk of the publisher of  
the Herald & News

a newspaper of general circulation, as  
defined by Chapter 193 ORS, printed and  
published at Klamath Falls in the aforesaid  
county and state; that the

#497-Trustee's Notice of Sale-

McGuire

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

~~consecutive and consecutive covers~~

(4 insertion s) in the following issue s: —

Mar. 5, 1982

Mar. 12, 1982

Mar. 19, 1982

Mar. 26, 1982

Total Cost: \$182.00

Sarah L. Parsons

Subscribed and sworn to before me this 26  
day of March 1982

Kate Decker  
Notary Public of Oregon

My commission expires Jan 15 1983

## (COPY OF NOTICE TO BE PASTED HERE)

### Trustee's Notice of Sale

Reference is made to that certain trust deed made, executed and delivered by JERRY D. McGUIRE and CONSTANCE A. McGUIRE, who acquired title as Constance A. Craft, as grantor, to WILLIAM L. SISEMORE, as trustee, to secure certain obligations in favor of TOWN AND COUNTRY MORTGAGE AND INVESTMENT CO., an Oregon Corporation, as beneficiary, dated May 4, 1981, recorded May 8, 1981, in the mortgage records of Klamath County, Oregon, in book No. M81 at page 7993, covering the following described real property situated in said county and state, to-wit:

The S½NW¼NW¼NE¼ of Section 13, Township 35 South, Range 12, East of the Willamette Meridian, County of Klamath, State of Oregon.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

\$90.38 due September 4, 1981;  
\$90.38 due October 4, 1981;  
\$90.38 due November 4, 1981;  
\$90.38 due December 4, 1981;

By reason of said default the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following, to-wit:

\$2,341.36, plus interest from August 4, 1981, together with late charges.

A notice of default and election to sell and to foreclose was duly recorded December 13, 1981, in book M 81 at page 21427 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Tuesday, the 27th day of April, 1982, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Room 204, 540 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 said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said 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 any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred) together with the costs and expenses of sale, and any other sums due for said sale.

In construing this notice and whenever the context hereof so requires, 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 person owing an obligation, the performance of which is secured by said trust deed, and their successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the trust deed.

DATED at Klamath Falls, Oregon, December 15, 1981.  
William L. Sismore, Trustee  
#497-Mar. 5, 12, 19, 26, 1982

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

4979

STATE OF OREGON, County of Klamath ) ss.

I, William L. Sisemore

I am the trustee in that certain trust deed executed and delivered by Jerry D. McGuire and Constance A. McGuire, who acquired title as Constance A. Craft, as grantor to William L. Sisemore as trustee, in which Town and Country Mortgage and Investment Co., an Oregon Corporation, is beneficiary, recorded on May 5, 19 81 in book M81 at page 7993 of the mortgage records of Klamath County, Oregon, covering the following described real property situate in said county:

The SW 1/4 of Section 13, Township 35 South, Range 12, East of the Willamette Meridian, County of Klamath, State of Oregon.

I hereby certify that on December 15, 19 81, the above described real property was not occupied by any of the persons named in subsection 1 of Section 86.750, Oregon Revised Statutes.

The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.

William L. Sisemore  
Trustee



Subscribed, sworn to and acknowledged before me this 16th day of December, 1981.

Clare M. Farley  
Notary Public for Oregon

My commission expires: 2-5-85

STATE OF OREGON; COUNTY OF KLAMATH; ss.  
Filed for record at repositor  
this 23 day of April A.D. 19 82 at 12 o'clock A.M.  
duly recorded in Vol. M 82 of Mtge on file 4976  
Fee \$16.00

By Evelyn Biehn  
EVELYN BIEHN, County Clerk

Ret to  
William L. Sisemore  
540 Main  
KFO