

OE

18524

## TRUSTEE'S NOTICE OF SALE

M82 Page 18053

Reference is made to that certain trust deed made, executed and delivered by JOHN L. BROWN and ADELLA R. BROWN, husband and wife as grantor, to WILLIAM L. SISEMORE as trustee, to secure certain obligations in favor of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION as beneficiary, dated May 13, 1980, recorded May 14, 1980, in the mortgage records of Klamath County, Oregon, in ~~8827534~~ volume No. M80 at page 8858, ~~8858~~ ~~deposited with the county clerk for recording~~ (index which), covering the following described real property situated in said county and state, to-wit:

Lot 45, Block 31, TRACT 1184, OREGON SHORES UNIT 2, 1ST ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, 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:

\$ 431.00 due December 25, 1981  
 431.00 due January 25, 1982  
 431.00 due February 25, 1982  
 431.00 due March 25, 1982  
 431.00 due April 25, 1982  
 431.00 due May 25, 1982  
 431.00 due June 25, 1982  
 431.00 due July 25, 1982

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:

\$28,418.40, plus interest from November 1, 1981 and late charges.

A notice of default and election to sell and to foreclose was duly recorded August 11, 1982, in book M82 at page 10378 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Tuesday, the 21st day of December, 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, August 11, 1982.

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

112 970 12 118 51

I hereby certify that I made service of the foregoing trustee's notice of sale upon the individuals and other legal entities to be served, named below, by delivering or leaving true copies of said trustee's notice of sale, certified to be such by the attorney for the trustee, as follows:

Upon Barbara BRINK For Paddlet, 602 Pacific Terrace, Klam Falls, OR Personal Service Upon Individual(s)  
at 602 Pacific Terrace, Klam Falls, OR, by delivering such true copy to him/her, personally and in person,  
on 8-16, 1982, at 5:55 o'clock P.M.  
Upon \_\_\_\_\_, by delivering such true copy to him/her, personally and in person,  
at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

Substituted Service Upon Individual(s)\*\*  
Upon \_\_\_\_\_, by delivering such true copy at his/her dwelling house  
or usual place of abode, to-wit: \_\_\_\_\_,  
to \_\_\_\_\_, who is a person over the  
age of 14 years and a member of the household of the person served on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.  
Upon \_\_\_\_\_, by delivering such true copy at his/her dwelling house  
or usual place of abode, to-wit: \_\_\_\_\_,  
to \_\_\_\_\_, who is a person over the  
age of 14 years and a member of the household of the person served on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

Office Service Upon Individual(s)\*\*  
Upon \_\_\_\_\_, at the office which he/she maintains for the conduct of  
business at \_\_\_\_\_,  
by leaving such true copy with \_\_\_\_\_, the person who  
is apparently in charge, on \_\_\_\_\_, 19\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_ o'clock, \_\_\_\_M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name  
Upon \_\_\_\_\_ (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.) \_\_\_\_\_, by  
(a) delivering such true copy, personally and in person, to \_\_\_\_\_ who is a/the  
\* \_\_\_\_\_ thereof; OR  
(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the  
office of \_\_\_\_\_, who is a/the \* \_\_\_\_\_ thereof;  
\*Specify registered agent, officer (by title), director, general partner, managing agent.  
at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

DATED \_\_\_\_\_, 19\_\_\_\_.

SHERIFF

By \_\_\_\_\_  
DEPUTY

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon, and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise; that the person, firm or corporation served by me is the identical person, firm or corporation named in the action.  
DATED 8-16-82, 1982

SIGNATURE

TYPE OR PRINT NAME

The signature line on the left should be used only by a sheriff or deputy of a county in Oregon; all other servers complete certificate on the right.

The Proof of Service above contains most, but not all, of the methods of service. For example, this form does not include proof of service on a minor or incompetent person. See ORCP 7D. (2) and 7 D. (3) for complete service methods on particular parties.

\*\* Where substituted or office service is used, the plaintiff, as soon as reasonably possible, shall cause to be mailed a true copy of the summons and complaint to the defendant at the defendant's dwelling house or usual place of abode, together with a statement of the time, date and place at which such service was made. Use SN Form No. 1149 or equivalent.

# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

18055

(COPY OF NOTICE TO BE PASTED HERE)

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 and 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

#214 Trustee's Sale-Brown

a printed copy of which is hereto annexed,

was published in the entire issue of said

newspaper for four

~~consecutive~~ consecutive week s ~~days~~,

(4 insertion s) in the following issue s:

October 25, 1982

November 1, 1982

November 8, 1982

November 15, 1982

Total Cost: \$187.20

Sarah L. Parsons

Subscribed and sworn to before me this 15th  
day of November 19 82

John L. Bucka  
Notary Public of Oregon

My commission expires April 15, 86

**TRUSTEE'S NOTICE OF SALE**  
Reference is made to that certain trust deed made, executed and delivered by JOHN L. BROWN and ADELLA R. BROWN, husband and wife, as grantor, to WILLIAM L. SISEMORE, as trustee, to secure certain obligations in favor of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, as beneficiary, dated May 13, 1980, recorded May 14, 1980, in the mortgage records of Klamath County, Oregon, in volume No. M80, at page 8838, covering the following described real property situated in said county and state, to-wit:  
Lot 45 Block 31, TRACT 1184, OREGON SHORES UNIT 2, 1ST ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, 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:  
\$431.00 due December 25, 1981  
\$431.00 due January 25, 1982  
\$431.00 due February 25, 1982  
\$431.00 due March 25, 1982  
\$431.00 due April 25, 1982  
\$431.00 due May 25, 1982  
\$431.00 due June 25, 1982  
\$431.00 due July 25, 1982  
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:  
\$28,418.40 plus interest from November 1, 1981 and late charges.  
A notice of default and election to sell and to foreclose was duly recorded August 11, 1982, in book M82 at page 10378 of said mortgage records, reference thereto hereby being expressly made.  
**WHEREFORE, NOTICE HEREBY IS GIVEN** That the undersigned trustee will on Tuesday, the 21st day of December, 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, August 11, 1982.  
William L. Sismore, Trustee  
#214 Oct. 25, Nov. 1 & 15, 1982

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

18056

STATE OF OREGON, County of Klamath ) ss.

I, William L. Sisemore, being first duly sworn, depose, say and certify that:

I am the Adella R. Brown trustee in that certain trust deed executed and delivered by John L. Brown and  
Brown, as grantor to William L. Sisemore as trustee, in which Klamath First Federal Savings  
and Loan Association, is beneficiary, recorded on May 13, 1980, in book M80 at page 8858 of the mortgage  
records of Klamath County, Oregon, covering the following described real property situate in  
said county:

Lot 45, Block 31, Tract 1184, Oregon Shores Unit 2, 1st Addition,  
according to the official plat thereof on file in the office of  
the County Clerk of Klamath County, Oregon.

I hereby certify that on August 11, 1982, the above described real property was not occupied by  
any of the persons named in subsection 1 of Section 86.750, Oregon Revised Statutes.

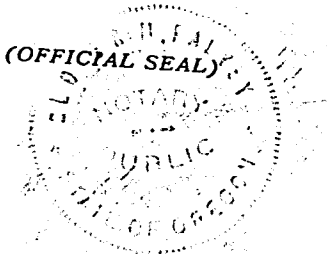
The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed  
first mentioned above.

William L. Sisemore  
Trustee

Subscribed, sworn to and acknowledged before me this 12<sup>th</sup> day of August, 19 82

Clara M. Farney  
Notary Public for Oregon

My commission expires: 2-5-85



AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR,  
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICESTATE OF OREGON, County of Klamath, ss:

18057

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

John L. Brown

c/o Mrs. L. Eaton  
855 N. 17th  
Las Vegas, Nevada 89101

Adella R. Brown

c/o Mrs. L. Eaton  
855 N. 17th  
Las Vegas, Nevada 89101

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 August 12, 1982. 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 12th day of August, 1982.

Charles M. Foley  
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 St.,  
Klamath Falls, Or. 97601

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

STATE OF OREGON,  
County of Klamath } ss.  
I certify that the within instrument  
was received for record on the 20 day  
of Dec., 1982,  
at 8:51 o'clock A.M., and recorded  
in book/reel/volume No. NS2 on  
page 18053 or as fee/file/instru-  
ment/microfilm/reception No. 18524,  
Record of Mortgages of said County.

Witness my hand and seal of  
County affixed.

Evelyn Biehn County Clerk  
NAME TITLE  
By John M. Shure Deputy  
Fee \$20.00