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29459

TRUSTEE'S NOTICE OF SALE

Vol. m63 Page 17731

Reference is made to that certain trust deed made by ..... JACK M. DALE and DONNA L. DALE, husband and wife, ..... as grantor, to ..... WILLIAM SISEMORE, ..... as trustee, in favor of ..... KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION ..... as beneficiary, dated ..... December 19, 1977, recorded ..... December 19, 1977, in the mortgage records of ..... Klamath County, Oregon, in book/reel/volume No. .... M77 ..... at page ..... 24408 ..... ~~see file/instrument/microfilm/reception No.~~ ..... (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 11 of GRACE PARK, 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 a notice of default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

\$363.00 due on March 25, 1983, and a like payment on the 25th day of every month thereafter.

By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and payable, said sums being the following, to-wit:

\$39,070.97, plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on ..... October 18, 1983, at the hour of ..... 10:45 ..... 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 to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred) together with costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.

In construing this notice, 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; the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED ..... June 15, 1983

William S. Sismore

Trustee

State of Oregon, County of ..... Klamath ..... ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740(2) or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE: .....

93 OCT 17 AM 9 52

OK 16-83



STATE OF OREGON

## PROOF OF SERVICE

17732

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, as follows:

Upon JACK M. DALE  
at 1753 ARTHUR ST., KLAMATH FALLS, OREG. 97601, by delivering such true copy to him/her, personally and in person,  
Upon DONNA L. DALE, by delivering such true copy to him/her, personally and in person,  
at 1753 ARTHUR ST., KLAMATH FALLS, OREG. 97601, on June 17th, 1983, at 3:47 o'clock P.M.  
Substituted Service Upon Individual(s)

Upon \_\_\_\_\_, by delivering such true copy at his/her dwelling house  
or usual place of abode, to-wit: \_\_\_\_\_, 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: \_\_\_\_\_, 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 \_\_\_\_\_, the person who  
by leaving such true copy with \_\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_ o'clock, \_\_\_\_\_ M.  
is apparently in charge, on \_\_\_\_\_, Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)  
(a) delivering such true copy, personally and in person, to \_\_\_\_\_, by  
\* \_\_\_\_\_ thereof; OR who is a/the  
(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the  
office of \_\_\_\_\_, who is a/the \*  
\* Specify registered agent, officer (by title), director, general partner, managing agent.

at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
Service Upon State of Oregon  
Upon the State of Oregon by leaving such true copy with \_\_\_\_\_, a deputy/  
clerk (delete word inapplicable) at the office of the Attorney General on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
Service Upon Public Bodies

Upon \_\_\_\_\_, by  
(a) serving such true copy, personally and in person on \_\_\_\_\_, who is the  
\* \_\_\_\_\_ thereof; OR  
(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the  
office of \_\_\_\_\_, who is a/the \*  
\* Specify director, managing agent, clerk, secretary

at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon \_\_\_\_\_, who is the district attorney for the county, by

(a) delivering such true copy, personally and in person, to said district attorney, OR (b) leaving such true copy with  
at \_\_\_\_\_, the person who is apparently in charge of the district attorney's office,  
on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR  
CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.  
Service cannot be made upon \_\_\_\_\_, after reasonable efforts to do so have been made;  
I attempted to make service by \_\_\_\_\_

Subscribed and sworn to before me this 18 day of \_\_\_\_\_, 1983.

(SEAL)

Notary Public for Oregon  
My commission expires 12/31/1986

PUBLISHER'S NOTE: ORS 86.740(2) requires that the Notice of Sale be served in the manner in which a summons is served pursuant to Oregon Rules of Civil Procedure 7 D. (2) and 7 D. (3). 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 upon a minor or incapacitated person. See ORCP 7 D. (2) and 7 D. (3) for complete service methods on particular parties.



# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

ss.

17733

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 #158-Trustee's Notice of Sale

Dale

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

~~successive and consecutive weeks~~

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

Aug. 26, 1983

Sept. 2, 1983

Sept. 9, 1983

Sept. 16, 1983

Total Cost: \$148.20

Sarah L. Parsons

Subscribed and sworn to before me this 16  
day of September 1983

Kate Backa  
Notary Public of Oregon

My commission expires Jan 15 86  
1986

(COPY OF NOTICE TO BE PASTED HERE)

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by JACK M. DALE and DONNA L. DALE, husband and wife, as grantor, to WILLIAM SISEMORE, as trustee, in favor of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, as beneficiary, dated December 19, 1977, recorded December 19, 1977, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M77 at page 24408, covering the following described real property situated in said county and state, to-wit: Lot 11 of GRACE PARK, 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 a notice of default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes, the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

\$363.00 due on March 25, 1983, and a like payment on the 25th day of every month thereafter.

By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and payable, said sums being the following, to-wit:

\$39,070.97, plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 18, 1983, at the hour of 10:45 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 to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.

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DATED June 15, 1983.

William L. Sisemore

#158-Aug. 26, Sept. 2, 9, 16, 1983



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

17734

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
Jack M. Dale	5911 Onyx St., Klamath Falls, Or. 97601
Donna L. Dale	5911 Onyx St., Klamath Falls, Or. 97601

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 June 16, 1983. 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'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 14<sup>th</sup> day of Oct., 1983.  
(SEAL) Clara M. Fahey  
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, 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 17<sup>th</sup> day of October, 1983, at 9:52 o'clock A.M., and recorded in book/reel/volume No. M 83 on page 17731 or as fee/file/instrument/microfilm/reception No. 29459, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk  
NAME TITLE  
By Pam Smith Deputy

Fee: \$16.00