

47090

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by ROBERT O. MITCHELL and JORDYS M. MITCHELL,  
husband and wife,

WILLIAM GANONG, JR., as grantor, to  
in favor of FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF KLAMATH FALLS, as trustee,  
dated July 5, 19 72, recorded July 7, 19 72, in the mortgage records of  
Klamath County, Oregon, in Book 72, at page 7421  
and index, covering the following described real

property situated in said county and state, to-wit:

Lot 6 in Block 52, Hot Springs Addition to the City of Klamath Falls,  
Oregon, 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:

- Loan #0309034 - \$188.75 due June 15, 1984, and a like amount due on the 15th  
day of each month thereafter;
- Loan #9109034 - \$124.65 due June 15, 1984, and a like amount due on the 15th  
day of each month thereafter;
- Loan #9209034 - \$26.44 due June 15, 1984, and a like amount due on the 15th  
day of each 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:

- Loan #0309034 - \$23,439.23, plus interest and late charges;
- Loan #9109034 - \$12,649.35, plus interest and late charges;
- Loan #9209034 - \$ 2,830.48, plus interest and late charges.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 26, 19 85,  
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 Klamath County of Klamath Falls State of Oregon, sell at public

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 obli-  
gation, the performance of which is secured by said trust deed; the words "trustee" and "beneficiary" include their  
respective successors in interest, if any.

DATED November 19, 19 84

William J. [Signature]  
Successor 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

SERVE:

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.

95 MAR 22 PM 2 29

2109

PROOF OF SERVICE

4270



STATE OF OREGON, County of KLAMATH ) ss.

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:

Personal Service Upon Individual(s)

Upon Quentin D. Steele, by delivering such true copy to him/her, personally and in person,  
at 130 Pine, Klamath Falls, Ore., on November 20, 1984, at 1:46 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 \_\_\_\_\_, by  
(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(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.

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 \* \_\_\_\_\_ thereof;  
\* 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  
\_\_\_\_\_ the person who is apparently in charge of the district attorney's office,

at \_\_\_\_\_, 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Notary Public for Oregon  
My commission expires \_\_\_\_\_

(SEAL)

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 MAILING NOTICE OF SALE  
TO GRANTOR, SUCCESSOR IN INTEREST TO  
GRANTOR AND PERSON REQUESTING NOTICE  
AND HOLDER OF SUBSEQUENT LIEN

STATE OF OREGON )  
 ) ss.

County of Klamath ) Clover M. Falvey

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

At all times mentioned herein 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 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 first-class mail and by certified mail, return receipt requested, to each of the following persons or their legal representatives, if any, to-wit:

NAME	ADDRESS
Joyce M. Chambers	2812 East 7th, #6, National City, California 92050
Robert O. Mitchell	1900 Main Street, Klamath Falls, Or. 97601
Earl Perdue	1806 Kane St., Klamath Falls, Or. 97603
Thomas A. Derby	109 Del Fatti Lane, Klamath Falls, Or. 97603
Harold D. Buck	4426 Crosby, Klamath Falls, Or. 97603
Rita C. Buck	4426 Crosby, Klamath Falls, Or. 97603

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 knowledge, and any person including the Department of Revenue or any other state agency having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest and any person requesting notice as provided by 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 Clover M. Falvey in the United States post office at Klamath Falls, Oregon, on the 20th day of November, 19 84. 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 21st day of November, 19 84.

William L. Sisemore  
Notary Public for Oregon

My Commission expires: Oct 8/78

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

4272

STATE OF OREGON     )  
                          ) ss.  
County of Klamath    )

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

At all times mentioned herein 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 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 first-class mail and by certified mail, return receipt requested, to each of the following persons or their legal representatives, if any, to-wit:

NAME	ADDRESS
Joyce M. Chambers	12701 Jackson Hill Drive, El Cajon, California 92021

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 knowledge, and any person including the Department of Revenue or any other state agency having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest and any person requesting notice as provided by ORS. 86.785.

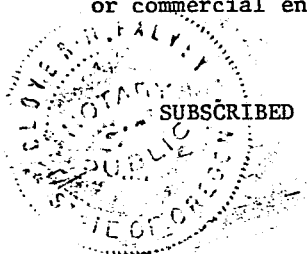
Each of the notices so mailed was certified to be a true copy of the original notice of sale by William L. Sisemore attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on the 21st day of November, 1984. 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 21st day of November, 1984.

Clara M. Talvey  
Notary Public for Oregon

My Commission expires: 2-5-85



# Affidavit of Publication

4273

STATE OF OREGON,  
COUNTY OF KLAMATH

ss.

(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 #549-Trustee's Sale - Mitchell

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

~~successive and consecutive week x day x~~

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

February 6, 1985

February 13, 1985

February 20, 1985

February 27, 1985

Total Cost: \$226.12

Sarah L. Parson

Subscribed and sworn to before me this 27  
day of February, 1985

[Signature]  
Notary Public of Oregon

My commission expires Jan 15 1986

Ret to

WILLIAM L. SISEMORE  
Attorney at Law  
540 Main Street  
Klamath Falls, OR 97601

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by ROBERT O. MITCHELL and JORDYS M. MITCHELL, husband and wife, as grantor, to WILLIAM GANONG, JR., as trustee, in favor of FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF KLAMATH FALLS, as beneficiary, dated July 5, 1972, recorded July 7, 1972, in the mortgage records of Klamath County, Oregon, in volume No. M72 at page 7421, covering the following described real property situated in said county and state, to-wit:

Lot 6 in Block 52, Hot Springs Addition to the City of Klamath Falls, Oregon, 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:

Loan #0309034 - \$188.75 due June 15, 1984, and a like amount due on the 15th day of each month thereafter;

Loan #9109034 - \$124.65 due June 15, 1984, and a like amount due on the 15th day of each month thereafter;

Loan #9209034 - \$26.44 due June 15, 1984, and a like amount due on the 15th day of each 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:

Loan #0309034 - \$23,439.23, plus interest and late charges;

Loan #9109034 - \$12,649.35, plus interest and late charges;

Loan #9209034 - \$2,830.48, plus interest and late charges.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 26, 1985, 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 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 November 19, 1984

William L. Sisemore

Successor Trustee

As of Feb. 6, 1985

STATE OF OREGON,  
County of Klamath )

Filed for record at request of

on this 22 day of March, A.D. 19 85

at 2:29 o'clock P. M. and duly

recorded in Vol. M85 of Mortgages

Page 4269

EVELYN BIEHN, County Clerk

By [Signature] Deputy

Fee \$21.00