

51974

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by ... NORMAN G. ROSS

WILLIAM L. SISEMORE

as trustee,
in favor of TOWN AND COUNTRY MORTGAGE AND INVESTMENT CO., an Oregon Corporation, as beneficiary,
dated July 23, 1980, recorded July 23, 1980, in the mortgage records of

Klamath County, Oregon, in book/reel/volume No. M80 at page 13747

covering the following described real property situated in said county and state, to-wit: (beneficiary's interest assigned 7-23-80, Vol. M80, page 13750)

The North 48 feet of Lot 1 and all of Lot 2, EXCEPT a portion deeded to U.S.A. by the Klamath Canal Co., in Block 61, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, and All the following portions of Lots 1 and 2, Block 61, of NICHOLS ADDITION to Klamath Falls (formerly Linkville), Oregon, in the County of Klamath, State of Oregon:
Beginning at the Southeast corner of said Block 61; thence Northwest along the line of Eleventh Street 72 feet; thence at right angles with Eleventh Street in a Southwesterly direction 69 feet, more or less, to the line of the U.S. Government Canal right of way; thence in a South-easterly direction along the line of said right of way to line of Lincoln (formerly Washington) Street; thence Northeasterly along Lincoln Street to place of beginning, 41.6 feet, more or less.

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:

Failure to pay the promissory note in the amount of \$14,500.00, due and payable on July 23, 1982.

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:

\$14,500.00, plus interest at the rate of 12% per annum from April 23, 1984.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 13, 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 April 9, 1985

Miller, D. L.

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:

85 AUG 12 PM 2 43

OK 17.00

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

12658

STATE OF OREGON, County of Klamath) ss.

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

I am the trustee in that certain trust deed executed and delivered by Norman G. Ross as grantor to William L. Sisemore INVESTMENT CO., an Oregon Corporation as trustee, in which TOWN AND COUNTRY MORTGAGE AND is beneficiary, recorded on July 23, 19 80 in book M80 at page 13747 of the mortgage records of Klamath County, Oregon, covering the following described real property situate in said county: (beneficiary's interest thereafter assigned by instrument recorded July 23, 1980, in Vol. M80 at page 13750)

The North 48 feet of Lot 1 and all of Lot 2, EXCEPT a portion deeded to U.S.A. by the Klamath Canal Co., in Block 61, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, and

All the following portions of Lots 1 and 2, Block 61, of NICHOLS ADDITION to Klamath Falls (formerly Linkville), Oregon, in the County of Klamath, State of Oregon:

Beginning at the Southeast corner of said Block 61; thence Northwest along the line of Eleventh Street 72 feet; thence at right angles with Eleventh Street in a Southwesterly direction 69 feet, more or less, to the line of the U.S. Government Canal right of way; thence in a Southeasterly direction along the line of said right of way to line of Lincoln (formerly Washington) Street; thence Northeasterly along Lincoln Street to place of beginning, 41.6 feet, more or less.

I hereby certify that on April 9, 19 85, 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 9th day of April, 1985..

Conrad M. Falvey
Notary Public for Oregon

My commission expires: 2-5-89



Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH

38

12659

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 _____

#992-Trustees Sale-Sisemore

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

СОСРЕДТОЧЕНА КОЛЛЕКЦИЯ КОЛЛЕКЦИЯ КОЛЛЕКЦИЯ КОЛЛЕКЦИЯ

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

June 28, 1985

July 5, 1985

July 12, 1985

July 19, 1985

Total Cost: \$ 252.72

Sarah L. Parsons

Subscribed and sworn to before me this 19 day of July 1985

1985
Kataoka
Notary Public of Oregon
My commission expires Jan 15 1986

(COPY OF

TRUSTEE'S NOTICE OF SALE

(COPY OF)

TRUSTEE'S NOTICE OF SALE

Referring to Trust created under will made by NORMAN C. ROSE, deceased, WILLIAM L. SISEMORE, as trustee, of TOWN AND COUNTY MORTGAGE INVESTMENT COMPANY Oregon Corporation, beneficiary, dated July 21, 1900, recorded July 27, 1900, in the mortgage records of Klamath County, Oregon, in book 1261/volume 8, page 12747; beneficiary's interest was sold July 22, 1900, Vol. Acres, page 12700, following described real property situated in said county and state, to-wit:

The Meritt at one of Lot 7 and 8.

EXCEPT A portion ceded to U.S.A. by the Klamath Canal Co. in Block of MILLBURN FALLS, OREGON. AND ALL THE FORECLOSURE PORTIONS THEREOF.

ADDITIONAL INFORMATION: After August 1st, 1935, the beneficiary's interest in the above-described premises shall remain subject to the Government's right of way, located in a Southeastern direction along the line of said right-of-way to what of Lincoln (near Washington) Street, thence Northwesterly along Lincoln Street to place of beginning, less more or less, 13.25 acres.

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 66-238(3) of Oregon Revised Statutes; the default for which foreclosure is made is promisor's failure to pay after due the following sums:

Failure to pay the promissory note in the amount of \$14,000.00 due and payable on July 20, 1932.

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

\$14,000.00 plus interest at the rate of 10% per annum from April 20, 1932.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 13, 1935, at the hour of three o'clock P.M., Standard time as established by Section 157-110, Oregon Revised Statutes, at Room No. 540 Main Street in the City of Astoria, Clatsop County, Oregon, State of Oregon, sell at public auction said described real property which the interest in the hereof said power to convey at the time of the execution by him of the said trust deed, his successors-in-interest acquired after the execution of said trust deed, to satisfy the costs and obligations thereby secured and the reasonable charge by the trustee. Notice is further given that any person named in Section 66-140 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 except that 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 ten days before the date set for said sale.

In constructing this notice, the masculine gender includes the feminine and the plural the singular; it includes any successor in interest to the obligor, the performance of which is secured by said trust deed; the words "trustee" and "successors-in-interest," if any,

DATED April 9, 1935.

William L. Siseamore

Trustee

1935-June 26, July 2, 12, 1935

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

12660

STATE OF OREGON, County of Klamath, ss:

I, William L. Sisemore,

being first duly sworn, depose, and 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 both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME
Norman G. Ross

ADDRESS

16 Ute Trail
Manitou Springs, Colorado 80829

Sue Sargent Pizano

P. O. Box 445
Keno, Oregon 97627

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) 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 (d) any person requesting notice, as required 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 April 9, 1985. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

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 9th day of April, 1985

Charles M. Farney
Notary Public for Oregon. My commission expires 2-5-89

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

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 COUNTIES WHERE USED.)

STATE OF OREGON,
County of Klamath } ss.

I certify that the within instrument was received for record on the 12th day of August, 1985, at 2:43 o'clock P. M., and recorded in book/reel/volume No. M85 on page 12657 or as fee/file/instrument/microfilm/reception No. 51974, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Pam Smith Deputy

Fee: \$17.00