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52449

STEVENS NESS LAW FIRM, INC., PORTLAND, OR 97201

Vol. M85 Page 13403

MICHAEL BACHMAN, dba Sunrise Towing

Lien Claimant

vs.

JOHN E. RANSON; UNITED STATES NATIONAL

BANK OF OREGON.

Lien Debtor

POSSESSORY LIEN  
STATEMENT OF ACCOUNT

To the Treasurer of Klamath County, Oregon:

Reference is made to the attached copy of the published or posted notice of claim of lien (the total amount of said claim being \$ 522.50.....) and the notice of public foreclosure sale of certain chattels described in said notice. You are notified that said sale took place at the time and place stated in said notice.

The total amount received for said chattels at said foreclosure sale was .....	\$ 58.00
The expenses of said sale (to-wit: the cost of foreclosing said lien) were .....	\$ 96.84
Net proceeds of said sale .....	\$ -0-
Applied to the discharge of said lien <u>PROCEEDS OF SALE WERE INSUFFICIENT</u> .....	\$ -0-
Remaining balance of the proceeds of said sale <u>TO DISCHARGE LIEN</u> .....	\$ -0-

The said remaining balance is insufficient to discharge the lien ~~herewith paid to you~~ pursuant to the provisions of Section 12 of Chapter 648, Oregon Laws 1975.

Dated: July 22, 19 85

Michael Bachman  
Michael Bachman  
By ..... Claimant

NOTE: Possessory liens are authorized by Sections 3 to 5 of Chapter 648, Oregon Laws 1975; Section 13 of said Chapter 648 provides in part:  
(1) A person who forecloses a lien created by sections 3 to 5 of this Act by sale shall file a statement of account verified by his oath with the recording officer of the county in which the sale took place when:  
(a) The chattel sold at the foreclosure sale has a fair market value of \$250 or more;  
(b) The chattel sold at the foreclosure sale is an animal bearing a brand or other mark recorded with the State Department of Agriculture under ORS chapter 604. \* \* \*

STATE OF OREGON,

County of Klamath

ss.

I, Michael Bachman, being first duly sworn, depose and say that I am.....  
doing business as Sunrise Towing..... the claimant named above, that I know the contents of the foregoing instrument and that the statements therein made are true, as I verily believe.

Subscribed and sworn to before me this 22 day of July, 19 85

Betty Wilton  
(SEAL)  
BETTY WILTON  
NOTARY PUBLIC OREGON  
My Commission Expires 5-24-88

Betty Wilton  
Notary Public for Oregon, My commission expires 5-24, 19 88

13404

MICHAEL BACHMAN dba Sunrise Towing,  
Lien Claimant

JOHN E. RANSOM; UNITED STATES  
NATIONAL BANK OF OREGON,  
Lien Debtor

**CLAIM OF POSSESSORY LIEN**  
**NOTICE OF FORECLOSURE SALE**  
(Where possession has not been surrendered.)  
(Applicable for Labor, Materials and Services Only.)

**NOTICE IS HEREBY GIVEN THAT:**

1. The undersigned, Michael Bachman dba Sunrise Towing, hereinafter called the claimant, pursuant to the provisions of ORS 87.152 and 87.166 through 87.206, inclusive, claims and has a possessory lien upon articles of personal property particularly described as follows, to-wit:  
1970 Datsun, 4S, VIN: PL510151113; Oregon License No. EED060;  
Title No. 8208968338

hereinafter called chattels, for the following charges for services provided, materials supplied and labor performed to the said lien debtor in making, altering, repairing, transporting, pasturing or caring for said chattels at the request of the owner or lawful possessor thereof.

2. The actual or reputed owner, hereinafter called lien debtor, is T.C. McCamey, Registered Agent  
OREGON, Sweethome Branch, UNITED STATES NATIONAL BANK OF  
U.S. National Bank, Sweethome Branch, 1428 Main Street, Sweet Home, OR 97136  
(If lien debtor is a corporation, the address should be c/o the registered agent at the registered office, as shown by the records of the Corporation Commissioner of the State of Oregon (ORS 57.065, 57.075)). The person requesting said services, materials and labor, if other than the owner, was (possessor)  
JOHN E. RANSOM, whose address is 902 King, Medford, Oregon 97501. The vehicle was towed at the request of possessor and Oregon State Police when the possessor was involved in an accident.

3. (a) The agreed/reasonable [strike one] charge for claimant's services, materials and labor is \$ 42.50  
(b) In addition, claimant has incurred expenses in storing said chattels prior to foreclosure and that a reasonable fee for said storage is the sum of (\$8.00/day)  
(c) No part of said charges have been paid except the sum of \$ 480.00  
(d) The total amount of claimant's lien claim is (a + b - c) \$( -0- )  
\$ 522.50

4. Claimant obtained possession of said chattels in Klamath County, Oregon.

5. The date the lien attached to the chattels is November 10, 1984, which is when the services or labor were fully performed and the materials were fully furnished and the charges therefore were due and the lien debtor either knew or should reasonably have known that the charges were due. Since said date, possession of said chattels has been and is now retained by claimant.

NOTICE IS HEREBY GIVEN to said lien debtor and to whom it may concern that on June 28, 1985, claimant will proceed to sell the above described chattels at public auction to the highest bidder for cash, in Klamath County, Oregon, where claimant obtained possession thereof, at the following place in said County, to-wit: 501 Broad Street  
City of Klamath Falls, State of Oregon, at the hour of 1:00 o'clock P.M. The name of the person foreclosing the lien is Michael Bachman dba Sunrise Towing  
All of the above information is incorporated into the Notice of Sale by reference.

6. At the conclusion of said foreclosure sale, claimant will apply the proceeds of said sale: first, to the payment of the expenses of the sale; second, to the discharge of claimant's said lien; and third, the balance, if any, will be paid to the county treasurer of the county in which said foreclosure sale is made, to be disposed of by said county treasurer as directed by law.

5800 Kl. Auto Wt

\*ORS 87.172 provides that a person claiming a lien must retain the chattel that is subject to the lien for at least 60 days after the lien attaches (the date stated in, par. 5 above) before foreclosing the lien. The words "foreclosing the lien" refers to the date of sale; therefore, the sale date entered between the \* should be at least 60 days after the date in par. 5; unless the chattel is an animal, in which case the interval must be at least 30 days, or if the animal is a dog or cat, at least 15 days.

7. On May 20, 19 85, and more than thirty days prior to the day so fixed for said foreclosure sale, claimant gave this notice by registered or certified mail to the following persons:

a. To the lien debtor at his last known address; or if the lien debtor is a corporation, to its said registered agent at its said registered office.

\*\*b. To all persons with a security interest in said chattels who have filed a financing statement perfecting that interest in the office of the Secretary of the State of Oregon or in the office of the appropriate county officer of the county in which the foreclosure sale is to be held.

\*\*c. If the chattel so to be sold is one for which a certificate of title is required by the laws of this state, to all those persons whom the certificate of title indicates have a security interest in or lien upon the chattels.

8. On the date first mentioned in paragraph 7, this notice was posted in a public place at or near the front door of the county courthouse of the county in which the sale is to be held and in a public place where claimant obtained possession of said chattels from the lien debtor in Klamath County, Oregon.

In construing this instrument and where the context so required, words in the singular include the plural; and, generally, all changes shall be made or implied so that this instrument shall be deemed notice both to individuals and to corporations.

Dated May 20, 19 85.

Michael Bachman  
Claimant

By MICHAEL BACHMAN dba Sunrise Towing

STATE OF OREGON,

County of Klamath } ss.

I, Michael Bachman dba Sunrise Towing, the claimant named in the foregoing instrument, being first duly sworn, say that I know the contents thereof and that the statements and claims made therein are in all respects correct and true, as I verily believe.

Subscribed and sworn to before me this 20th day of May, 19 85.

Neal Buchanan  
Notary Public for Oregon. My commission expires 12/20/85

\*\*If there is a security interest in the chattel, notice to the holder of the security interest must be given not later than the 20th day after the date on which the storage charges begin; or, if no storage charges are imposed, notice to the holder of a security interest must be given not later than the 30th day after the date on which the services provided are completed.

IMPORTANT NOTICE: If the chattel has a fair market value of \$1,000 or more, the lien claimant, in addition to the notices set forth in paragraphs 7 and 8 above, shall have a notice of foreclosure sale printed once a week for two successive weeks in a newspaper as required by ORS 87.192(3). Such notice shall contain a particular description of the property to be sold, the name of the owner or reputed owner thereof, the amount due on the lien, the time and place of the sale and the name of the person foreclosing the lien.

Stevens-New Form No. 1120 is a warehouseman's possessory lien for storage; Form No. 1121 is a statement of account; Form No. 927 is a warehouseman's non-possessory lien for storage.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 23rd day of August A.D., 1985 at 2:32 o'clock P. M., and duly recorded in Vol. M85 of Lien Upon Chattels on Page 13403

FEE \$13.00

Evelyn Biehn, County Clerk  
By Pam Smith

Ret: Neal Buchanan  
601 Main #210  
KFD

52450

85-13756

Recorded at the request of  
Mountain Title Company

Vol. M85

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## DEED OF PERSONAL REPRESENTATIVE

JACQUELINE J. ROSSI, the duly appointed, qualified and acting personal representative of the Estate of EDYTHE ANN DEFFENBACHER aka E. A. DEFFENBACHER, conveys to CARL L. AUBREY and VICKY L. AUBREY, husband and wife, as tenants by the entirety, Grantees, all that real property situated in Klamath County, Oregon described as:

Lot 6, Block 14, FIRST ADDITION TO CHILOQUIN, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

## SUBJECT TO:

1. City liens, if any, of the City of Chiloquin.

2. An easement created by instrument, including the terms and provisions thereof.

Dated: October 27, 1981

Recorded: October 28, 1981

Volume: M81, page 18833 & 18835, Microfilm Records of Klamath County, Oregon.

In favor of: City of Chiloquin

For: Sewer easement

Affects: Across the Easterly 12' of lot 6 temporarily and across the Easterly 6' of Lot 6 permanently.

The true and actual consideration for this transfer is the sum of \$8500.00.

DATED this 15th day of August, 1985.

*Jacqueline J. Rossi*  
Jacqueline J. Rossi

STATE OF OREGON )  
 ) ss  
County of Jackson )

August 15, 1985.

Personally appeared JACQUELINE J. ROSSI and acknowledged the foregoing instrument to be her voluntary act and deed as personal representative of the Estate of Edythe Ann Deffenbacher aka E. A. Deffenbacher.

*William A. Huppert*  
Notary Public for Oregon  
My Comm. Exp. 3/21/87

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Until further notice mail tax statements to:

Carl L. Aubrey and Vickly L. Aubrey

P.O. Box 647  
Chiloquin, OR 97624



MOUNTAIN TITLE COMPANY has recorded this instrument by request as an accommodation only and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 23rd day of August A.D., 19 85 at 2:35 o'clock P. M., and duly recorded in Vol. M85 of Deeds on Page 13406

FEE \$5.00

Evelyn Blehn,  
By

County Clerk

*Patricia Smith*

State of Oregon, County of Jackson--SS.  
The within instrument received and filed at 2:02 o'clock P. M. the 19 day of August 1985  
Recorded in \_\_\_\_\_  
Official \_\_\_\_\_  
County Clerk  
Oregon. \_\_\_\_\_  
Deputy  
By \_\_\_\_\_

RETURN: RON JAMES, ATTORNEY  
837 EAST MAIN  
MEDFORD, OR 97504

'85 AUG 23 PM 2 35