

53054

TRUSTEE'S NOTICE OF SALE

Vol. 185 Page 14483

Reference is made to that certain trust deed made by

ELIZABETH E. ROBERTSON

WILLIAM L. SISEMORE

in favor of MARGHERITE WILSON

dated December 23, 19 83, recorded

December 23, 19 83, in the mortgage records of

Klamath County, Oregon, in Book No. M83 at page 22061

the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 29, Township 39 South, Range 11 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of said E $\frac{1}{2}$  of the SW $\frac{1}{4}$ , said point being South 89°58'36" East 1319.48 feet and South 00°17'46" West 1191.22 feet from the West 1/4 corner of said Section 29; thence South 00°17'46" West along the West line of the E $\frac{1}{2}$  of the SW $\frac{1}{4}$  365.91 feet; thence North 73°20'20" East 1445.82 feet; thence North 16°39'40" West 350.00 feet; thence South 73°20'20" West 1339.10 feet to the point of beginning.

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:

\$80.00 due on January 9, 1985, and a like amount due on the 9th day of each month thereafter; and failure to pay real property taxes.

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:

\$6,000.00, plus interest and late charges.

WHEREFORE, notice hereby is given that the undersigned trustee will on September 10, 19 85, at the hour of 10:10 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 May 1, 19 85

William L. Siseamore

Trustee

State of Oregon, County of Klamath

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 SEP 3 PM 2 45

27.00

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

14484

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 ELIZABETH E.

ROBERTSON as grantor to WILLIAM L. SISEMORE as trustee, in which MARGUERITTE WILSON

is beneficiary, recorded on December 23, 19 83 in book M83 at page 22061 of the mortgage

records of Klamath County, Oregon, covering the following described real property situate in said county:

A tract of land situated in the E $\frac{1}{2}$  of the SW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 29, Township 39 South, Range 11 E.W.M., Klamath County, Oregon, more particularly described as follows:  
Beginning at a point on the West line of said E $\frac{1}{2}$  of the SW $\frac{1}{4}$ , said point being South 89°58'36" East 1319.48 feet and South 00°17'46" West 1191.22 feet from the West 1/4 corner of said Section 29; thence South 00°17'46" West along the West line of the E $\frac{1}{2}$  of the SW $\frac{1}{4}$  365.91 feet; thence North 73°20'20" East 1445.82 feet; thence North 16°39'40" West 350.00 feet; thence South 73°20'20" West 1339.10 feet to the point of beginning.

I hereby certify that on May 1, 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 1st day of May, 19 85.

Clower M. Fahey

Notary Public for Oregon

My commission expires: 2-5-89



# Affidavit of Publication

14485

STATE OF OREGON,  
COUNTY OF KLAMATH

ss.

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

#058-Trustee's Sale

Wilson

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

~~successive and consecutive week and days~~

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

July 23, 1985

July 30, 1985

Aug. 6, 1985

Aug. 13, 1985

Total Cost: \$226.12

Sarah L. Parsons

Subscribed and sworn to before me this 13

Day of August, 19 85

Notary Public of Oregon

My commission expires Jan 15 86

## TRUSTEE'S SALE OF

Reference is made to certain trust deed made on 23-2-85 to F. E. ROBERTSON, as

grantee, in favor of MARGUERITE WILSON, as

beneficiary, dated December 27, 1981, recorded in the County of Klamath, Oregon, in volume No. 144 of page 2205, covering the following described real property situated in said county and state, to-wit:

A tract of land situated in the E 1/4 of the SW 1/4 and the NW 1/4 of the SE 1/4 of Section 29, Township 35 North, Range 11 East, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of said E 1/4 of the SW 1/4, said point being South 89° 58' 36" East 100' East and South 00° 12' 46" West 110' 22" feet from the West line corner of said Section 29, thence South 00° 17' 44" West along the West line of the E 1/4 of the SW 1/4 153.91 feet, thence North 73° 20' 20" East 144.62 feet, thence North 10° 37' 20" West 350.00 feet, thence South 73° 20' 20" West 139.10 feet to the point of beginning.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligation secured by said trust deed and a notice of default has been recorded pursuant to Section 84.7(1)(3) of Oregon Revised Statutes, the result of which the foreclosure is made in grantor's failure to pay when due the following sums:

\$40.00 due on January 9, 1985, and a five percent due on the 9th day of each month thereafter, and failure to pay real property taxes.

By reason of said default the beneficiary has declared the obligations secured by said trust deed immediately due and payable, said sums being the following: \$40.00, plus interest and late charges.

WHEREFORE, notice hereby is given that the undersigned trustee will on September 10, 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, 340 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction,

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 of 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 obligations secured thereby and the costs and expenses of sale, including reasonable charges by the trustee. Notice is

further given that any person named in Section 84.7(2) of Oregon Revised Statutes has the right to have any foreclosure proceeding dismissed, and the trust deed reinstated by payment to the beneficiary of the entire amount then due, otherwise such portions 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.

It is hereby further noticed that the masculine gender includes the feminine and the neuter; the words "includes and shall" 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, heirs and assigns.

Witness my hand and seal of office this 13th day of August, 1985.

DAVID RAY

Notary Public

for the State of Oregon

My commission expires 6/12/1986

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

14486

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

ADDRESS

Elizabeth E. Robertson

c/o Merrill Carr  
Box 345  
Bonanza, Or. 97623

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 May 1, 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 1st day of May, 1985.

(SEAL)

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

\* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.

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 Street  
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 9th day of September, 1985, at 2:45 o'clock P.M. and recorded in book/reel/volume No. 14483 on page 14483 or as fee/file/instrument/microfilm/reception No. 53054, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By *[Signature]* Deputy

Fee: \$17.00