

53104

## TRUSTEE'S NOTICE OF SALE

Vol. 1485 Page 14561

Reference is made to that certain trust deed made by ELIZABETH E. ROBERTSON

WILLIAM L. SISEMORE, as grantor, to  
ANNE G. SCHMITZ, as trustee,  
 in favor of ANNE G. SCHMITZ, as beneficiary,  
 dated December 6, 19 83, recorded December 7, 19 83, in the mortgage records of  
Klamath County, Oregon, in book 1485 volume No. M83 at page 20869,  
 by the instrument of production of the original deed.

covering the following described real property situated in said county and state, to-wit: A tract of land situated in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 29, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of said NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , said point being South 89°58'36" East 1319.48 feet and South 00°17'46" West 511.68 feet from the West 1/4 corner of said Section 29; thence South 00°17'46" West along the West line of said NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  313.63 feet; thence North 73°20'20" East 1232.38 feet; thence North 16°39'40" West 300.00 feet; thence South 73°20'20" West 1140.91 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:

\$75.00 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:

\$37,020.41, plus interest and late charges.

WHEREFORE, notice hereby is given that the undersigned trustee will on September 10, 19 85, at the hour of 10:00 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 May 1, 19 85

William L. Siseamore  
 William L. Siseamore

Trustee

State of Oregon, County of MARION, 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:

SEP 10 1985

13:00

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON, County of Klamath, ) ss.

14562

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 ANNE G. SCHMITZ  
is beneficiary, recorded on December 7, 1983, in book M83 at page 20869 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 NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 29, Township 39 South, Range 11  
East of the Willamette Meridian, Klamath County, Oregon, more particularly described as  
follows:

Beginning at a point on the West line of said NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , said point being South  
89°58'36" East 1319.48 feet and South 00°17'46" West 511.68 feet from the West 1/4 corner  
of said Section 29; thence South 00°17'46" West along the West line of said NE $\frac{1}{4}$  of the  
SW $\frac{1}{4}$  313.63 feet; thence North 73°20'20" East 1232.38 feet; thence North 16°39'40" West  
300.00 feet; thence South 73°20'20" West 1140.91 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

(OFFICIAL SEAL)

Clarence M. Feavey  
Notary Public for Oregon

My commission expires: 2-5-89

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE  
STATE OF OREGON, County of Klamath

14563

I, William L. Sisemore, ss:

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  
Elizabeth E. Robertson

ADDRESS  
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.  
Clayton M. Farley  
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.  
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.

AFFIDAVIT OF MAILING TRUSTEE'S  
NOTICE OF SALE

RE: Trust Deed from

TO Grantor

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 10th day of September, 1985, at 11:51 o'clock A.M., and recorded in book/reel/volume No. 14561 on page 14561 or as fee/file/instrument/microfilm/reception No. 53104, Record of Mortgages of said County.  
Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk  
By Don Smith Deputy

Fee: \$13.00