

OC

56172

TRUSTEE'S NOTICE OF SALE

Vol. M85 Page 19998

Reference is made to that certain trust deed made by ROSS CARIAGA and JEANNE CARIAGA, 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 June 3, 1977, recorded June 8, 1977, in the mortgage records of Klamath County, Oregon, in book/rec'd volume No. M77 at page 9929, covering the following described real property situated in said county and state, to-wit:

Lot 12 of the Subdivision of Lot 803, ENTERPRISE TRACTS, 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:

\$589.00 due February 20, 1985, and a like payment due on the 20th day of each month thereafter.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

\$39,526.73, plus interest from February 1, 1985, and late charges.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 12, 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 St., 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 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then to be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said Section 86.753 of Oregon Revised Statutes.

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, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED July 31, 1985

William J. Linn

State of Oregon, County of Klamath

Successor Trustee

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 or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE:

'85 DEC 9 PM 1 32

CK
93.00

STATE OF OREGON

PROOF OF SERVICE

KLAMATH

19999

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:

Upon RAMONA SOTO RANK, by delivering such true copy to him/her, personally and in person,
at 7132 Gardena Pl., Klamath Falls, Ore., on August 5, 1985, at 1:27 o'clock P.M.
Personal Service Upon Individual(s)

Upon _____, on _____, 19____, at _____ o'clock _____ M.
Substituted Service Upon Individual(s)
by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____

Upon _____, 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.
by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____

Upon _____, 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)
by leaving such true copy with _____, at the office which he/she maintains for the conduct of
business at _____, 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 _____, who is a/the
office of _____, the person who is apparently in charge of the
* Specify registered agent, officer (by title), director, general partner, managing agent.

Service Upon State of Oregon
Upon the State of Oregon by leaving such true copy with _____, on _____, 19____, at _____ o'clock _____ M.
clerk (delete word inapplicable) at the office of the Attorney General on _____, a deputy/
Service Upon Public Bodies
Upon _____, 19____, at _____ o'clock _____ M.
(a) serving such true copy, personally and in person on _____, by
* _____, who is the
(b) leaving such true copy with _____, thereof, OR
office of _____, the person who is apparently in charge of the
* Specify director, managing agent, clerk, secretary

FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon _____, on _____, 19____, at _____ o'clock _____ M.
_____, 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,
_____, on _____, 19____, at _____ o'clock _____ M.
Service cannot be made upon _____, after reasonable efforts to do so have been made;
I attempted to make service by _____

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.

Subscribed and sworn to before me this _____ day of _____, 19____.

(SEAL)

Notary Public for Oregon
My commission expires Oct 8, 1986

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 Publication 20000

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

#275 Trustee's Sale-Cariaga

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

~~successive consecutive weeks~~ and days

(4 insertion s) in the following issue s:

Oct. 22, 1985

Oct. 29, 1985

Nov. 5, 1985

Nov. 12, 1985

Total Cost: \$226.12

Sarah L. Parsons

Subscribed and sworn to before me this 12
November 1985

[Signature]
Notary Public of Oregon
My commission expires Jan 15 86

(COPY OF NOTICE TO BE PASTED HERE)

WHEREFORE, notice hereby is given that the undersigned trustee with due diligence has caused the foregoing notice to be published in the newspaper of general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that the said notice was published in the entire issue of said newspaper for four successive consecutive weeks and days (4 insertion s) in the following issue s: Oct. 22, 1985, Oct. 29, 1985, Nov. 5, 1985, Nov. 12, 1985.

WHEREFORE, notice hereby is given that the undersigned trustee with due diligence has caused the foregoing notice to be published in the newspaper of general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that the said notice was published in the entire issue of said newspaper for four successive consecutive weeks and days (4 insertion s) in the following issue s: Oct. 22, 1985, Oct. 29, 1985, Nov. 5, 1985, Nov. 12, 1985.

NOTICE OF NONJUDICIAL SALE

20001

RE Barbara J. Cariaga, aka Jeanne Cariaga, dba Jeanne Cariaga's School of Dance
TAXPAYER(S)

To the Secretary of the Treasury of the United States:

You are hereby notified of the proposed sale of the following described property.*

Lot 12 of the Subdivision of Lot 803, ENTERPRISE TRACTS, according to the official plat thereof on file in the office of the County Clerk.

belonging to the above named taxpayer(s), and the following information is given with respect thereto:

1. The proposed sale will be held at 540 Main Street, Room 204, Klamath Falls, Oregon
on Dec. 12, 1985, at 10:00 o'clock A.M., on
the following terms CASH

2. The approximate amount of the principal obligation, including interest, secured by the lien sought to be enforced and a description of the other expenses which may be charged against the sale proceeds, are as follows:

Principal amount	\$ 39,526.73
Interest to date of sale	\$ 3,788.09
Legal fees	\$ 700.00
Selling costs	\$ 360.00
Other:	\$

3. (A) A copy of each Notice of Federal Tax Lien (Form 668) affecting the property to be sold is attached hereto, OR

(B) The following information is given with respect to each Notice of Federal Tax Lien:

(i) The Internal Revenue District named thereon:

(ii) Taxpayers Name(s):

Address

(iii) Date of filing lien: ; Place of filing:

☐ Check if Section (B) is used to supply information AND more than one lien is submitted. Provide above information with respect to each lien on an attached sheet or on the reverse hereof.

4. The name and address of the person submitting this Notice of Sale is:

William L. Sisemore

NAME

540 Main Street

NUMBER and STREET

Klamath Falls, Or. 97601

CITY, STATE, ZIP

DATED: August 1, 1985

*Provide a detailed description, including location, of the property affected by the notice (in case of real property, the street address, city and State and the legal description contained in the title or deed to the property and, if available, a copy of the abstract of title). In case of the sale of perishable property, include a statement of the reasons the property is believed to be perishable.

AFFIDAVIT OF MAILING

STATE OF OREGON, County of Klamath

I, William L. Sisemore

ss.

sworn, depose and say: That on August 1, 1985, I notified the Secretary of the Treasury of the United States of the proposed sale described in the foregoing Notice, by mailing a copy of said Notice together with any attachments described therein, to the delegate of the said Secretary of the Treasury, to-wit: Chief, Special Procedures Section, District Director of Internal Revenue, 1220 S. W. 3rd, Portland, Or. 97204

, all in conformity with Reg. § 301.7425-3(d)(1), Income Tax Regulations promulgated by the Secretary of the Treasury; that said Notice and attachments were contained in a sealed envelope, addressed as aforesaid, and deposited by me with postage thereon fully prepaid, in the United States Registered or Certified Mail at Klamath Falls, Oregon on August 1, 1985, which was not less than twenty-five (25) days prior to the sale.

William L. Sisemore

Subscribed and sworn to before me this 1st

day of

August

, 1985

(SEAL)

Cheryl M. Talley
Notary Public for Oregon

My commission expires: 2-5-89

Receipt and adequacy of the foregoing Notice is acknowledged by the Internal Revenue Service.

Dated _____, 19____

By _____

Title: _____

NOTE—If signed acknowledgement is requested, submit in duplicate.

20002

STATE OF OREGON, County of Klamath

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
Ross Cariaga

Robert Hamilton, PC
Betty Jo Carey
Chief, Special Procedures Section

ADDRESS
Box 1417 Highway 97 N.,
Klamath Falls, Or. 97601

292 Main St., Klamath Falls, Or. 97601
5327 So. Sixth St., Klamath Falls, Or. 97603
District Director of Internal Revenue
1220 S. W. 3rd, Portland, Or. 97204

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 August 1, 19 85. 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 William L. Sisemore 1st day of August, 1985.

(SEAL)

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

TO

Grantor

Trustee

AFTER RECORDING RETURN TO
William L. Sisemore
540 Main St.,
Klamath Falls, Or. 97601

DO NOT USE THIS SPACE, RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON,
County of } ss.
I certify that the within instrument was received for record on the day of , 19 , at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. .
Record of Mortgages of said County.
Witness my hand and seal of County affixed.

NAME
By TITLE
 Deputy

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
Jeanne Cariaga

ADDRESS
1734 Lark
Klamath Falls, Or. 97601

Jeanne Cariaga

c/o Blair Henderson
426 Main St.,
Klamath Falls, Or. 97601

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 August 8, 19 85. 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 8th day of August, 19 85
Corvus M. Fawcett
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
	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 9th day of December, 19 85, at 1:32 o'clock P.M., and recorded in book/reel/volume No. M85 on page 19998 or as fee/file/instrument/microfilm/reception No. 56172, Record of Mortgages of said County.
Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk
By Pam Smith Deputy

Fee: \$25.00