

56173

TRUSTEE'S NOTICE OF SALE

Vol. M85 Page 20004

Reference is made to that certain trust deed made by DAVID V. BODNER and JANIS L. BODNER,  
husband and wife, as grantor, to  
WILLIAM SISEMORE as trustee,  
in favor of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION as beneficiary,  
dated March 26, 1981, recorded March 30, 1981, in the mortgage records of  
Klamath County, Oregon, in ~~book~~ volume No. M81 at page 5674,  
~~for title/instrument/condition/exception/Note~~ ~~(indicate which)~~ covering the following described real  
property situated in said county and state, to-wit:

Lot 48, Block 28, TRACT NO. 1113, OREGON SHORES UNIT 2, according to  
the official plat thereof on file in the office of the County Clerk  
of Klamath County, Oregon.

TOGETHER WITH 1981 WALDE MOBILE HOME, License No. X170053, Title No.  
8111943033.

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:

\$341.00 due December 1, 1984, and a like amount due on the 1st 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:

\$23,524.17, plus interest and late charges.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 3, 1985,  
at the hour of 10:00 o'clock, AM, 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 86.753 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 obli-  
gation, 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 26, 1985

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

SERVE:

85 DEC 9 PM 1 32

OK  
25-00

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

20005

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  
David V. Bodner

ADDRESS

501 Kodiak St.,  
Eugene, Oregon 97401

Janis L. Bodner

501 Kodiak St.,  
Eugene, Oregon 97401

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

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 26th day of July, 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 26th day of July, 19 85Notary 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

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 COUN-  
 TIES WHERE  
 USED)

STATE OF OREGON,  
County of        } ss.

I certify that the within instrument  
 was received for record on the        day  
 of       , 19 85, at        o'clock        M., and recorded  
 in book/reel/volume No.        on  
 page        or as fee/file/instru-  
 ment/microfilm/reception No.         
 Record of Mortgages of said County.  
 Witness my hand and seal of  
 County affixed.

NAME

By       

TITLE

Deputy

AMENDED  
TRUSTEE'S NOTICE OF SALE

20006

Reference is made to that certain trust deed made by DAVID V. BODNER and JANIS L. BODNER, as grantor, to husband and wife, as trustee, WILLIAM SISEMORE, as beneficiary, in favor of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, dated March 26, 1981, recorded March 30, 1981, in the mortgage records of Klamath County, Oregon, in Book 1081, volume No. M81, at page 5674, covering the following described real property situated in said county and state, to-wit:

Lot 48, Block 28, TRACT NO. 1113, OREGON SHORES UNIT 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.  
TOGETHER WITH 1981 WALDE MOBILE HOME, License No. X170053, Title No. 8111943033.

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:

\$341.00 due December 1, 1984, and a like amount due on the 1st 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:  
\$23,524.17, plus interest and late charges.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 11, 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 86.753 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 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 August 8, 1985

William S. Sise  
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.

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: \_\_\_\_\_  
Attorney for said Trustee

# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

20007

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

#268 Trustee's Sale-

Bodner

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

(4 insertion s) in the following issue s: \_\_\_\_\_

Oct. 17, 1985

Oct. 24, 1985

Oct. 31, 1985

Nov. 7, 1985

Total Cost: \$239.40

Sarah L. Parsons

Subscribed and sworn to before me this 7  
day of November 1985

[Signature]  
Notary Public of Oregon

My commission expires Jan 25 1986

(COPY OF NOTICE TO BE PASTED HERE)

## AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed  
made by DAVID W. BODNER and SARAH L.  
BODNER, husband and wife, as grantors, to  
WILLIAM SUSEMORE, as trustee, in favor of  
KLAMATH FIRST FEDERAL SAVINGS AND  
LOAN ASSOCIATION, as beneficiary, dated  
March 28, 1984, recorded March 30, 1984, in the  
mortgage records of Klamath County, Oregon,  
in Volume No. 141, at page 567, covering the  
following described real property situated in  
Klamath County and State of Oregon, to-wit:  
Lot 48, Block 28, TRACT NO. 1115, OREGON  
SHORES UNIT 2, according to the official plat  
thereof on file in the office of the County Clerk  
of Klamath County, Oregon, Vol. 141, at page 567.  
TOGETHER WITH 1981 WALDE MOBILE  
HOME, License No. X170053, Title No.  
811194303, 2801 2nd St., Klamath Falls, Ore.  
Both the beneficiary and the trustee have  
agreed 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 86.725(1) of Oregon Revised  
Statutes, the default for which the foreclosure  
is made is grantor's failure to pay when due  
the following sums: \$19,094.15, \$19,094.15,  
\$24,100.00, due December 1, 1984, and a like  
amount due on the 1st day of each month  
thereafter, and on the 1st day of each month  
beginning January 1, 1985, until the debt is  
paid in full, and the trustee has  
declared a default in said obligations.

WHEREFORE, notice hereby is given that the  
undersigned trustee, will on December 14, 1985,  
at the hour of 10:00 o'clock, A.M., Standard  
Time, as established by Section 167.110, Oregon  
Revised Statutes, at Room 304, 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  
86.753 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 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 deed or  
trust deed, and in payment to paying the sums  
tendering the performance, no sum to  
be paid in full, and the trustee has  
declared a default in said obligations.

**AFFIDAVIT OF MAILING/TRUSTEE'S NOTICE OF SALE**

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
David V. Bodner	501 Kodiak St., Eugene, Or. 97401
Janis L. Bodner	501 Kodiak St., Eugene, Or. 97401

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, 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 8th day of August, 1985

Court M. Fahey  
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 St.,  
Klamath Falls, Or. 97601

(DON'T USE THIS  
SPACE: RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

STATE OF OREGON, } ss.  
County of \_\_\_\_\_

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.

By \_\_\_\_\_ Deputy

# SHERIFF'S RETURN OF SERVICE

20009

STATE OF OREGON )  
County of Klamath ) ss.

Court Case No. \_\_\_\_\_

Sheriff's Case No. 85-2259

I hereby certify that I received on July 26, 1985 (Amended 8-8-85) the within:

- ( ) Summons & Complaint ( ) Summons & Petition ( ) Summons ( ) Complaint ( ) Petition  
( ) Subpoena ( ) Citation ( ) Order ( ) Motion ( ) Affidavit  
( ) Small Claim ( ) Restraining Order ( ) Show Cause Order ( ) Notice  
( ) Writ of Garnishment ( ) Order of Appearance ( ) Waiver of fees  
(XX) Amended Trustee's Notice of Sale

for service on the within named: OCCUPANT - Lot 48, Block 28, Tract 1113, OREGON SHORES UNIT 2, according to the official plat thereof on file in the office of the County clerk of Klamath County, Oregon- TOGETHER WITH 1981 WALDE personally and in person. MOBILE HOME, License No. X170053, Title No. 8111943033.

(X) SERVED Timothy W. Rettke  
( ) SUBSTITUTE SERVICE - By leaving a true copy with \_\_\_\_\_ a person over the age of fourteen years, who resides at the place of abode of the within named, at said abode: \_\_\_\_\_

( ) OFFICE SERVICE - By leaving a true copy with \_\_\_\_\_ the person in charge of the office maintained for the conduct of business by \_\_\_\_\_  
( ) By leaving a true copy with \_\_\_\_\_ of said corporation.  
( ) OTHER METHOD \_\_\_\_\_

( ) NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find the within named: \_\_\_\_\_ within Klamath County.

All search and service was made within Klamath County, State of Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: August 9, 1985, 6:00p.m.

TOM DURYEE, Sheriff  
Klamath County, Oregon

By Mack M. Daniel Deputy

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ of December A.D., 19 85 at 1:18 o'clock P M., and duly recorded in Vol. 185 day \_\_\_\_\_ of Mortgages on Page 20004

FEE \$25.00

Evelyn Biehn, County Clerk  
By [Signature]