

57432

Reference is made to that certain trust deed made by **WILLIAM SISEMORE** as grantor, to **HADENE C. FOSTER** as trustee, as beneficiary, Vol. **M86** Page **F. 1031**

WILLIAM SISEMORE in favor of **KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION**, dated **January 6, 1981**, recorded **January 6, 1981**, in the mortgage records of **Klamath** County, Oregon, in **book 181** at page **205**, covering the following described real property situated in said county and state, to-wit: The Westerly 74.56 feet of Lots 6 and 7, Block 49, BUENA VISTA ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Southeasterly line of Angle Street, said point being 70.00 feet Southwesterly from the most Northerly corner of Lot 7, Block 49, BUENA VISTA ADDITION; thence Southerly parallel to Soquel Street 115.69 feet; thence Westerly along the Southerly line of Lot 6, said Block 49, 74.56 feet; thence Northerly parallel to Soquel Street 87.37 feet; thence Northeasterly along the Southeasterly line of Angle Street 79.76 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:

\$421.00 due on February 1, 1985; 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:

\$28,685.83, plus interest from Jan. 1, 1985, and late charges.

WHEREFORE, notice hereby is given that the undersigned trustee will on **January 23, 1986**, at the hour of **10:30** o'clock, A. M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at **Room 204, 540 Main St., 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 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 **September 16, 1985**

William S. Foster

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

SERVE:

95 JAN 21 PM 4 06

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

1032

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

Harlene C. Kimbol

Alice J. Wright

Nadene C. Foster

P. O. Box 226, Chiloquin, Or. 97624

P. O. Box 226, Chiloquin, Or. 97624

P. O. Box 320, Hoopa, Ca. 95546

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 September 18, 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

20 day of

September

19 85

(SEAL)

Clara M. Talley
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

DO NOT USE THIS SPACE RESERVED FOR RECORDING LABEL IN COURTS 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

TITLE

By

Deputy

Affidavit of Publication

F. 1033

STATE OF OREGON,

COUNTY OF KLAMATH

(COPY OF NOTICE TO BE PASTED HERE)

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

notice of sale

is published

in the

issue of

the

a printed copy of which is hereto annexed,

was published in the entire issue of said

newspaper for four

insertions

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

Dec. 6, 1985

Dec. 13, 1985

Dec. 20, 1985

Dec. 27, 1985

WHEREFORE, notice hereby is given that the undersigned trustee will on January 21, 1986, at 10:30 o'clock, A.M., at the Courtroom of the County of Klamath, Oregon, established by Section 284, 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 or 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 56.753 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 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 56.753 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 or interest in the property as well as any other person doing an act in connection with the performance of which is secured by the said trust deed and the words "trustee" include the trustee and the words "beneficiary" include the beneficiary and the words "obligation" include the obligation secured by the said trust deed.

Witness my hand and seal of office this 15th day of December, 1985.

Total Cost: \$266.00
Sarah L. Parsons

Subscribed and sworn to before me this 27
day of December 19 85
[Signature]
Notary Public of Oregon
My commission expires Jan 15 86

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

1034

STATE OF OREGON,

County of Klamath

ss.

I, William L. Sisemore

being first duly sworn, depose, say and certify that:

I am the

NADENE C. POSTER

to WILLIAM SISEMORE

in which KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION

January 6, 1981, in the mortgage records of

Klamath

is beneficiary, recorded on

at page 205

~~volume No. M81~~ ~~in the mortgage records of said county~~

County, Oregon, in ~~book~~ ~~volume No. M81~~, covering the following described real property situated in said county:

The Westerly 74.56 feet of Lots 6 and 7, Block 49, BUENA VISTA ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

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I hereby certify that on

September 19, 1985, the above described real property was not occupied.

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 24th

day of

September

1985

Donna M. Farley

Notary Public for Oregon

(SEAL)

My Commission expires: 2-5-89

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

RE: Trust Deed from

Grantor

to

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

Fee: \$17.00

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 21st day of January, 1986, at 4:06 o'clock P.M., and recorded in book/reel/volume No. M86 on page 1931 or as fee/file/instrument/microfilm/reception No. 57432, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Blehn, County Clerk

By *Pat Smith* Deputy