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Vol M86

Page 7353

# **TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND OF SALE**

Page 16135

Reference is made to that Trust Deed wherein RICHARD J. PAUXTIS and PATRICIA ANN PAUXTIS, husband and wife, is Grantor;  
WILLIAM SISEMORE is Trustee; and  
KLAMATH FIRST FEDERAL SAVINGS & LOAN ASSN. is Beneficiary,  
 recorded in Official/Microfilm Records, Vol. M84, Page 1264, Klamath County, Oregon,  
 covering the following-described real property in Klamath County, Oregon:

Lot 3, Block 18, HOT SPRINGS 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.

No action is pending to recover any part of the debt secured by the trust deed.

The obligation secured by the trust deed is in default because the grantor has failed to pay the following:

\$335.00 due November 1, 1985, and \$335.00 due December 1, 1985; \$318.00  
 due January 1, 1986, and a like amount due on the 1st day of each month  
 thereafter.

The sum owing on the obligation secured by the trust deed is:

\$29,001.56, plus interest and late charges,

plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said  
 trust deed.

Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on September 9, 19 86, at 10:10 o'clock a.m.  
 based on standard of time established by ORS 187.110 at Room 204, 540 Main St., Klamath Falls,  
Klamath County, Oregon.

Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated  
 by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together  
 with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to  
 five days before the date last set for sale.

Dated: April 29, 19 86.

William L. Sisemore, Trustee

STATE OF OREGON, County of Klamath

The foregoing was acknowledged before me on April 29, 1986 by William L. Sisemore

Carol M. Talley Notary Public for Oregon — My Commission Expires Feb. 5, 19 89

Certified to be a true copy:

STATE OF OREGON, County of Klamath

Filed for record on April 29, 19 86 at 1:48 o'clock p.m.  
 and recorded in M86 page 7353 of mortgages.

Evelyn Biehn, Klamath County Clerk by Don Smith, Deputy

After recording return to:

Fee: \$5.00

William L. Sisemore  
 540 Main St.,  
 Klamath Falls, OR 97601

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STATE OF OREGON

## PROOF OF SERVICE

Klamath

16136

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 RICHARD J. PAUXTIS, by delivering such true copy to him/her, personally and in person, at 1650 Manzanita, Klamath Falls, Ore., on May 1, 1986, at 5:08 o'clock P.M.

Upon Patricia Ann Pauxtis, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: 1650 Manzanita, Klamath Falls, Ore., on May 1, 1986, at 5:08 o'clock P.M.

to Richard Pauxtis, who is a person over the age of 14 years and a member of the household of the person served on May 1, 1986, at 5:08 o'clock P.M.

by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: 1650 Manzanita, Klamath Falls, Ore., on May 1, 1986, at 5:08 o'clock P.M.

to Patricia Ann Pauxtis, who is a person over the age of 14 years and a member of the household of the person served on May 1, 1986, at 5:08 o'clock P.M.

Office Service Upon Individual(s) Patricia Ann Pauxtis, at the office which he/she maintains for the conduct of business at 1650 Manzanita, Klamath Falls, Ore., on May 1, 1986, at 5:08 o'clock P.M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name, during normal working hours, at to-wit: 1650 Manzanita, Klamath Falls, Ore., on May 1, 1986, at 5:08 o'clock P.M.

Upon Patricia Ann Pauxtis, by delivering such true copy, personally and in person, to Patricia Ann Pauxtis, who is a/the

(b) leaving such true copy with Patricia Ann Pauxtis, the person who is apparently in charge of the office of Patricia Ann Pauxtis, who is a/the

\* Specify registered agent, officer (by title), director, general partner, managing agent, Patricia Ann Pauxtis, on May 1, 1986, at 5:08 o'clock P.M.

Service Upon State of Oregon, on May 1, 1986, at 5:08 o'clock P.M.

Service Upon Public Bodies, on May 1, 1986, at 5:08 o'clock P.M.

(a) serving such true copy, personally and in person on Patricia Ann Pauxtis, by Patricia Ann Pauxtis, who is the

(b) leaving such true copy with Patricia Ann Pauxtis, the person who is apparently in charge of the office of Patricia Ann Pauxtis, who is a/the

\* Specify director, managing agent, clerk, secretary Patricia Ann Pauxtis, on May 1, 1986, at 5:08 o'clock P.M.

FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon Patricia Ann Pauxtis, who is the district attorney for the county, by Patricia Ann Pauxtis, on May 1, 1986, at 5:08 o'clock P.M.

(a) delivering such true copy, personally and in person, to said district attorney, OR (b) leaving such true copy with Patricia Ann Pauxtis, the person who is apparently in charge of the district attorney's office, on May 1, 1986, at 5:08 o'clock P.M.

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.

Service cannot be made upon Patricia Ann Pauxtis, after reasonable efforts to do so have been made; I attempted to make service by Patricia Ann Pauxtis.

Subscribed and sworn to before me this 5th day of May, 1986.

(SEAL)

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

TED J. LINDON  
Legal Investigations  
3710 E. Edison  
Klamath Falls, OR 97601  
503-884-6754

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.

1 STATE OF OREGON )  
 2 ) SS  
 3 County of Klamath )

4 I, WILLIAM L. SISEMORE, certify that I am attorney for Klamath First Federal  
 5 Savings and Loan Association, Beneficiary under that certain Trust Deed recorded  
 6 January 24, 1984, in Vol. M84 at page 1264, Records of Klamath County, Oregon,  
 7 wherein Richard J. Pauxtis and Patricia Ann Pauxtis, husband and wife, are  
 8 Grantors, and William Sisemore is Trustee; I served a true and correct copy of  
 9 Trustee's Notice of Default and Election to Sell and of Sale, certified to as  
 10 such copy by me, together with notice of substitute service, copy of which is  
 11 attached hereto, in a sealed envelope, plainly addressed to Patricia Ann Pauxtis,  
 12 1650 Manzanita, Klamath Falls, OR. 97601, with postage fully prepaid, and  
 13 deposited the same in the U. S. Mail at Klamath Falls, Oregon, on May 5, 1986.

*William L. Sisemore*  
 William L. Sisemore  
 Attorney for Klamath First Federal  
 Savings and Loan Association

16 Subscribed and Sworn to before me this 5<sup>th</sup> day of May, 1986.

*Charles M. Farnsworth*  
 Notary Public for Oregon

17 (SEAL)  
 18 My Commission Expires: 2-5-89  
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**WILLIAM L. SISEMORE**  
ATTORNEY AT LAW  
540 MAIN STREET  
FIRST FEDERAL BUILDING  
KLAMATH FALLS, OREGON 97601-6067

**16138**

May 5, 1986

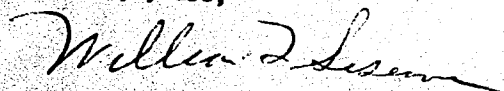
TELEPHONE  
AREA CODE 503  
842-7229

Patricia Ann Pauxtis  
1650 Manzanita  
Klamath Falls, Or. 97601

Dear Mrs. Pauxtis:

Enclosed find a certified copy of Trustee's Notice of Default and Election to Sell and of Sale. You have previously been served, by substitute service on Richard Pauxtis, a person over the age of 14 years of age who resides at your place of abode, on May 1, 1986, at 5:08 o'clock p.m.

Very truly yours,



William L. Sisemore

WLS/f  
encl.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Klamath, ss:

16139

I, William L. Sisemore

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  
Mortgage Insurance Accounting, OFA

ADDRESS

Dept. of Housing and Urban Development  
Washington, D.C. 20410

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 April 29, 1986. 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 29th day of April, 1986.

Court M. Farnley  
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

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 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

**16140**

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