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17811

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

Reference is made to that Trust Deed wherein JACK D. ODEN and HELEN A. ODEN, as tenants  
by the entirety \_\_\_\_\_, is Grantor;  
Mountain Title Company of Klamath County \_\_\_\_\_, is Trustee; and  
HENRY J. CALDWELL, JR and DEBORAH J. CALDWELL, husband and wife \_\_\_\_\_, is Beneficiary,  
recorded in Official/Microfilm Records, Vol. M89, Page 3046, \_\_\_\_\_ Klamath County, Oregon,  
covering the following-described real property in \_\_\_\_\_ Klamath County, Oregon:

**SEE LEGAL DESCRIPTION AS SHOWN ON REVERSE SIDE**

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:

\$300.00 due on May 16, 1989, and \$400.00 due June 16, 1989.

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

\$24,951.37, plus interest at the rate of 19% per annum from May 17, 1989.

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 October 30, 19 89, at 10:00 o'clock A.m.  
based on standard of time established by ORS 187.110 at 540 Main St., #301,  
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: June 19, 19 89. William L. Sisemore, Trustee  
Successor Trustee

STATE OF OREGON, County of \_\_\_\_\_ ss  
The foregoing was acknowledged before me on June 19, 1989 by \_\_\_\_\_  
William L. Sisemore

William L. Sisemore Notary Public for Oregon — My Commission Expires: Feb 5, 1993

Certified to be a true copy: \_\_\_\_\_ Attorney for Trustee

STATE OF OREGON, County of Klamath ss  
Filed for record on June 19, 1989 at \_\_\_\_\_ o'clock \_\_\_\_\_ m.  
and recorded in M89 page \_\_\_\_\_ of mortgages.

Evelyn Biehn County Clerk by \_\_\_\_\_, Deputy

After recording return to:

Wm. L. Sisemore  
540 Main St., #301  
Klamath Falls, Or. 97601

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

Notarized is made to that West Coast where JACK D. ODIN and HELEN A. ODIN, as tenants

County of Klamath, Oregon  
Helen A. Odin, wife of Jack D. Odin, husband and wife  
Klamath County, Oregon  
Parcel 1  
Klamath County, Oregon

A parcel of land situate in the Southwest corner of Tract 23, ANKENY GARDEN TRACTS, Klamath County, Oregon according to the Plat thereof on record in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows, to wit:

Beginning at the Southwest corner of Tract 23, and proceeding in a Northerly direction along Patterson Street for a distance of 97 feet, thence at right angles and in an Easterly direction a distance of 125 feet; thence South at right angles a distance of 97 feet; thence West at right angles along the Southerly line of Tract 23 a distance of 125 feet to the point of beginning.

PARCEL 2

A parcel of land being a portion of Tract 23, ANKENY GARDEN TRACTS, Klamath County, Oregon, according to the official plat thereof on record in the County Clerk's office of said Klamath County; said part being more particularly described as follows:

Beginning at a point on the South line of said Tract 23, distant 125 feet East from the Southwest corner of said Tract 23, thence from said point of beginning,

- (1) East, along said South line, a distance of 384 feet to the Southwest corner of that certain parcel of land described in deed to Don E. Wescom, et ux, recorded November 4, 1968, in Volume M68, page 9876, Microfilm Records of Klamath County, thence along the West line of last mentioned parcel,
- (2) North 97 feet; thence parallel to said South line of Tract 23.
- (3) West, 384 feet to the Northeast corner of that certain parcel of land conveyed to John H. Able, et us, by deed recorded November 2, 1965, in Volume M65, page 3307, Microfilm Records of Klamath County, Oregon, thence along the East line of last mentioned parcel.
- (4) South 97 feet to the point of beginning.

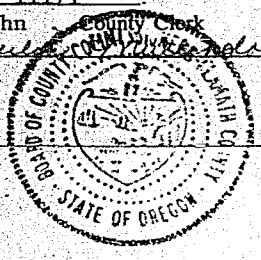
Tax Account No. 3909 024B0 01200

Notary Public for Oregon — My Commission Expires  
Klamath County, Oregon  
June 12, 1989

STATE OF OREGON; COUNTY OF KLAMATH: ss.  
Filed for record at request of William L. Sisemore the 22nd day of June A.D., 1989 at 8:55 o'clock A.M., and duly recorded in Vol. M89 of Mortgages on Page 11171

FEE \$13.00

Evelyn Biehn County Clerk  
By *Paula M. Biehn*



INDEXED  
D.V.I.

**SHERIFF'S RETURN OF SERVICE**

**20472**

STATE OF OREGON )  
 ) ss.  
County of Klamath )

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

Sheriff's Case No. 89-2000

I hereby certify that I received on June 22, 1989 the within:

- ( ) Summons & Complaint ( ) Summons & Petition ( ) Summons ( ) Complaint ( ) Petition  
( ) Subpoena ( ) Citation ( ) Order ( ) Motion ( ) Affidavit  
( ) Small Claim ( ) Restraining Order ( ) Order for Appearance of Judgement Debtor  
( ) Writ of Garnishment ( ) Order to Show Cause ( ) Order Waiving Fees and Costs

(XX) TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND OF SALE

for service on the within named: Jack D. Oden and Helen A. Oden

(X) SERVED Jack D. Oden personally and in person.  
at 6751 Patterson, Klamath Falls, Oregon

(XX) SUBSTITUTE SERVICE - By leaving a true copy with Jack D. Oden for Helen A. Oden,  
a person over the age of fourteen years, who resides at the place of abode of the within named, at said  
abode: 6751 Patterson, Klamath Falls, Oregon 97603

( ) 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: June 22, 1989, 6:00p.m.

Carl R. Burkhart, Sheriff  
Klamath County, Oregon

By 

Deputy

## NOTICE OF SUBSTITUTE SERVICE

TO: Helen A. Oden

You are hereby notified that you have been served with:

Summons and Complaint in Case entitled

Trustee's Notice of Default and Election to Sell and of Sale of that Trust Deed wherein Jack D. Oden and Helen A. Oden, is Grantor, to Mountain Title Company of Klamath Falls, Trustee, and Henry J. Caldwell, Jr. and Deborah J. Caldwell, is Beneficiary, recorded in the Mortgage Records of Klamath County, Oregon, Vol. M- 89, Page or Document No. 11171, certified copy of which is attached hereto.

By Substitute Service on Jack D. Oden a person over the age of 14 years of age who resides at your place of abode on June 22, 19 89, at 6:00 o'clock P.m. at 6751 Patterson, Klamath Falls, Oregon.

William L. Sisemore  
Attorney for Plaintiff(s)/Trustee

STATE OF OREGON )  
 ) SS  
County of Klamath )

I, William L. Sisemore, certify that I am attorney for Plaintiff(s)/ Trustee. I served a copy of Complaint and Summons/Trustee's Notice of Default and Election to Sell and of Sale, together with the above notice of substitute service in a sealed envelope, plainly addressed to Helen A. Oden, 6751 Patterson, Klamath Falls, Oregon 97603.

with postage fully prepaid, and deposited the same in the U. S. Mail at Klamath Falls, Oregon, on June 26, 19 89.

William L. Sisemore  
William L. Sisemore  
Attorney for

Subscribed and Sworn to before me this 26th day of June, 19 89.

William L. Sisemore  
Notary Public for Oregon

My Commission Expires: 8/2/91



# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

ss.

(COPY OF NOTICE TO BE PASTED HERE)

I, Deanna Azevedo, 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

LEGAL NOTICE #877

TRUSTEE'S NOTICE OF DEFAULT

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: —

JUNE 30, 1989

JULY 7, 1989

JULY 14, 1989

JULY 21, 1989

Total Cost: \$247.52

Deanna Azevedo

Subscribed and sworn to before me this 21ST  
day of JULY 19 89

[Signature]

Notary Public of Oregon

My commission expires June 15, 1990

TRUSTEE'S NOTICE OF DEFAULT  
AND ELECTION TO SELL AND OF SALE  
Reference is made to that Trust Deed wherein  
JACK D. ODEN and HELEN A. ODEN, as tenants  
by the entirety, is Grantor, Mountain Title  
Company of Klamath County, is Trustee, and  
HENRY J. CALDWELL, JR. and DEBORAH J.  
CALDWELL, husband and wife, is Beneficiary  
recorded in Official/Microfilm Records, Vol.  
M89, Page 3046, Klamath County, Oregon,  
covering the following described real property  
in Klamath County, Oregon:

PARCEL 1  
A parcel of land situate in the Southwest corner  
of Tract 23, ANKENY GARDEN TRACTS,  
Klamath County, Oregon according to the Plat  
thereof on record in the office of the County  
Clerk of Klamath County, Oregon, more par-  
ticularly described as follows, to wit:

Beginning at the Southwest corner of Tract 23,  
and proceeding in a Northerly direction along  
Patterson Street for a distance of 97 feet, thence

at right angles and in an Easterly direction a  
distance of 125 feet; thence South at right angles  
a distance of 97 feet; thence West at right angles  
along the Southerly line of Tract 23 a distance of  
125 feet to the point of beginning.

PARCEL 2  
A parcel of land being a portion of Tract 23,  
ANKENY GARDEN TRACTS, Klamath County,  
Oregon, according to the official plat thereof on  
record in the County Clerk's office of said  
Klamath County, said part being more par-  
ticularly described as follows:

Beginning at a point on the South line of said  
Tract 23, distant 125 feet East from the  
Southwest corner of said Tract 23, thence from  
said point of beginning:

(1) East, along said South line, a distance of 384  
feet to the Southwest corner of that certain  
parcel of land described in deed to Don E.  
Wescom, et ux, recorded November 4, 1968, in  
Volume M68, page 9876, Microfilm Records of  
Klamath County, thence along the West line of  
last mentioned parcel,

(2) North 97 feet; thence parallel to said South  
line of Tract 23,

(3) West, 284 feet to the Northeast corner of that  
certain parcel of land conveyed to John H. Able,  
et ux, by deed recorded November 2, 1968, in  
Volume M68, page 3007, Microfilm Records of  
Klamath County, Oregon, thence along the East  
line of last mentioned parcel,

(4) South 97 feet to the point of beginning.

Ex Account No. 397, DEED 0120.

No action is pending to recover any part of the

costs secured by the trust deed.

The obligation secured by the trust deed is in

default because the grantor has failed to pay the

following: \$300 due on May 15, 1989, and \$400 due

on June 15, 1989.

The sum owing on the obligation secured by the

trust deed is: \$2435.33, plus interest at the rate

of 10% per annum from May 17, 1989, plus trust-

ee'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 prop-

erty to satisfy the obligation pursuant to ORS

81.20 to 81.25.

The property will be sold as provided by law on

October 30, 1989, at 10:00 o'clock a.m. based on

standard of time established by ORS 187.110 at

540 Main St., #301, Klamath Falls, Klamath

County, Oregon.

Interested persons are notified of the right under

ORS 81.753 to have this proceeding discharged

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 oc-

curred, together with costs, trustee's and at-

torney's fees, and by curing any other default

complained of in this Notice, at any time prior to

five days before the date set for sale.

Dated: June 19, 1989.

William L. Stearns, Trustee

#877 June 30, July 7, 14, 21, 1989

# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

20475

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  
James F. Inman III

ADDRESS  
2013 Redwood Road  
Napa, CA 94558

Claudette Suzanne Inman

2013 Redwood Road  
Napa, CA 94558

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, Oregon, on June 19 23, 1989. 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 23 day of June, 1989

(SEAL) Alice L. Sisemore  
Notary Public for Oregon. My commission expires 8-2-91

\* 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

Wm. L. Sisemore  
540 Main St., #301  
Klamath Falls, Or. 97601

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

Fee \$33.00

STATE OF OREGON, } ss.  
County of Klamath

I certify that the within instrument was received for record on the 25th day of Oct., 1989, at 2:04 o'clock P.M., and recorded in book/reel/volume No. M89 on page 20470 or as fee/life/instrument/microfilm/reception No. 6971, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

Pauline Mullendore, Deputy