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Vol. m90 Page 15948

23301

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

Vol. m90 Page 25134

Reference is made to that Trust Deed wherein Rosalinda White

, is Grantor;

Transamerica Title Insurance Company

, is Trustee; and

Edgar L. Viets

, is Beneficiary,

recorded in Official/Microfilm Records, Vol. M77, Page 19200Klamath

County, Oregon,

covering the following-described real property in Klamath County, Oregon:

A portion of Lot 2, Block 59, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of Block 59, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS; thence North 3 degrees 44' East 71.7 feet to the Northwest corner of Lot 2 of said Block 59; thence North 89 degrees 43' East 40 feet, along the line between Lots 1 and 2 of said Block; thence South 3 degrees 44' West 102.66 feet, more or less, to the Southwesterly line of said Block 59; thence North 51 degrees 02' West 48.8 feet, along the Southwesterly line of said Block, to the point of beginning.

CODE 1 MAP 3809-29DC TL 700

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:

failure to make payment of \$115.00 due 7/1/89 and a like payment on the 1st day of each month thereafter.

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

\$3,261.63 plus interest at the rate of 9% per annum from June 3, 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 December 19, 19 90, 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: August 9, 19 90.

William L. Sisemore Successor, Trustee

STATE OF OREGON, County of Klamath ssThe foregoing was acknowledged before me on August 9, 19 90 byWilliam L. Sisemore

Clara M. Talley Notary Public for Oregon — My Commission Expires: Feb 5, 19 98

Certified to be a true copy:

Attorney for Trustee

STATE OF OREGON, County of Klamath ssFiled for record on August 9, 19 90 at \_\_\_\_\_ o'clock \_\_\_\_\_ m.and recorded in M90 page \_\_\_\_\_ of mortgages.

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

After recording return to:

WILLIAM L. SISEMORE  
Attorney at Law  
540 Main Street  
Klamath Falls, OR 97601

90 AUG 9 AM 10 19  
90 AUG 9 AM 10 19

25135



TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON,

County of Klamath } ss.

I, William L. Sisemore

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

I am the successor

Rosalinda White

trustee in that certain trust deed executed and delivered by

to Transamerica Title Insurance Company

as grantor

in which Edgar L. Viets

as trustee,

is beneficiary, recorded on September 30, 1977, in the mortgage records of Klamath

County, Oregon, in book/reel/volume No. M77, at page 19200 or as fee/file/instrument/microfilm/recep-

tion No. X X X X X indicating which, covering the following described real property situated in said county:

A portion of Lot 2, Block 59, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of Block 59, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS; thence North 3 degrees 44' East 71.7 feet to the Northwest corner of Lot 2 of said Block 59; thence North 89 degrees 43' East 40 feet, along the line between Lots 1 and 2 of said Block; thence South 3 degrees 44' West 102.66 feet, more or less, to the Southwesterly line of said Block 59; thence North 51 degrees 02' West 48.8 feet, along the Southwesterly line of said Block, to the point of beginning. CODE 1 MAP 3809-29DC TL 700

I hereby certify that on August 9, 1990, 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

Successor Trustee

Subscribed, sworn to and acknowledged before me this 9th day of August, 1990.

Allen L. Sisemore

Notary Public for Oregon

My Commission expires: \_\_\_\_\_

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

RE: Trust Deed from

Grantor

to

Trustee

AFTER RECORDING RETURN TO  
**WILLIAM L. SISEMORE**  
Attorney at Law  
540 Main Street  
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

TITLE

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



ON

25136

## 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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
Miguel Chavez	805 N. 2nd St., Lakeview, OR 97630
	and 429 Roosevelt, Klamath Falls, OR 97601
Roselia Chavez	805 N. 2nd St., Lakeview, OR 97603
	and 429 Roosevelt, Klamath Falls, OR 97601
Rosalinda White	533 N. 12th St., Klamath Falls, OR 97601
City of Klamath Falls	500 Klamath Ave., 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 9, 1990. 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 9th day of August, 1990.

(SEAL)

William L. Sisemore  
Notary Public for Oregon. My commission expires.....

\* Note that 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

WILLIAM L. SISEMORE  
Attorney at Law  
540 Main Street  
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.

NAME

TITLE

By ..... Deputy

25137

## 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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

Rosalinda White

3180 Loma Verde Dr., Apt. 6  
San Jose, CA 95117

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 14....., 1990..... 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 14th day of August, 1990.....

(SEAL)

William 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  
**WILLIAM L. SISEMORE**  
Attorney at Law  
540 Main Street  
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....., 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

STATE OF OREGON,  
COUNTY OF KLAMATH

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 #1960

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

(4 insertions) in the following issues:

AUG. 20, 1990

AUG. 27, 1990

SEPT. 3, 1990

SEPT. 10, 1990

Total Cost: \$163.20

Deanna Azevedo

Subscribed and sworn to before me this 10TH

day of SEPTEMBER, 1990

Kita Backa  
Notary Public of Oregon

My commission expires Jan 15 94

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

Reference is made to that Trust Deed wherein Rosalinda White, is Grantor; Transamerica Title Insurance Company, is Trustee; and Edgar L. Viets, is Beneficiary, recorded in Official/Microfilm Records, Vol. M77, Page 19200, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon:

A portion of Lot 2, Block 59, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of Block 59, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS; thence North 3 degrees 44' East 71.7 feet to the Northwest corner of Lot 2 of said Block 59; thence North 89 degrees 43' East 40 feet, along the line between Lots 1 and 2 of said Block; thence South 3 degrees 44' West 102.66 feet, more or less, to the Southwesterly line of said Block 59; thence North 51 degrees 02' West 48.8 feet, along the Southwesterly line of said Block, to the point of beginning.

CODE MAP 3809-29DC TL 700

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: failure to make payment of \$115.00 due 7/1/89 and a like payment on the 1st day of each month thereafter.

The sum owing on the obligation secured by the trust deed is: \$3,261.63 plus interest at the rate of 9% per annum from June 3, 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 December 19, 1990, at 10:00 o'clock a.m. based on standard 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: August 9, 1990.

William Sisemore, Successor, Trustee

#1960 Aug. 20, 27, Sept. 3, 10, 1990

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

Wm. L. Sisemore  
on this 19th day of Dec. A.D., 19 90  
at 10:36 o'clock A.M. and duly recorded  
in Vol. M90 of Mortgages Page 25134

Evelyn Biehn, County Clerk

By Pauline Mueller  
Deputy.

Fee, \$28.00