

22574

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

27420

Vol. m91 Page 5393

Reference is made to that Trust Deed wherein RANDY L. BURNS and SHERRI DeBOEF BURNS, husband and wife, is Grantor;

William L. Sisemore, is Trustee; and

Klamath First Federal Savings and Loan Association, is Beneficiary,

recorded in Official/Microfilm Records, Vol. M83 Page 19457 Klamath County, Oregon,  
covering the following-described real property in Klamath County, Oregon:

Lot 458 in Block 121 of Mills 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:

April 1, 1990, installment in the amount of \$209.56, plus a like amount each month  
thereafter; and failure to pay the real property taxes for the years 1987-88 in the  
amount of \$617.38; 1988-89 in the amount of \$639.23; 1989-90 in the amount of \$691.93; 1990-91  
in the amount of \$601.50.

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

\$25,168.64 plus interest at the rate of 9.5% per annum from October 1, 1990, plus 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 March 27, 1991, 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: November 14, 19 90.

William L. Sisemore, Trustee

STATE OF OREGON, County of Klamath ss

The foregoing was acknowledged before me on November 14, 1990 by William L. Sisemore,

Notary Public for Oregon — My Commission Expires August 2, 19 91

Certified to be a true copy

Attorney for Trustee

STATE OF OREGON, County of Klamath ss  
Filed for record on November 14th, 1990 at 2:03 o'clock P.m.  
and recorded in M90 page 22690 of mortgages.

Evelyn Biehn County Clerk by Deputy

Fee \$8.00

After recording return to:

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



INDEXED  
D. 11

# 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 & 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 #2185

TRUSTEE'S NOTICE OF DEFAULT

RANDY L. BURNS

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:

DECEMBER 14, 1991

DECEMBER 21, 1991

DECEMBER 28, 1991

JANUARY 4, 1991

Total Cost: NO/CHARGE

Deanna Azevedo

Subscribed and sworn to before me this 4TH

day of JANUARY 19 91

[Signature]  
Notary Public of Oregon  
My commission expires JAN 15 1994

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

Reference is made to that Trust Deed wherein RANDY L. BURNS and SHERRI DeBOEF BURNS, husband and wife, is Grantor; William L. Sisemore, is Trustee; and Klamath First Federal Savings and Loan Association, is Beneficiary, recorded in Official/Microfilm Records, Vol. M83, Page 19457, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon; Lot 458 in Block 121 of Mills 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: April 1, 1990; installment in the amount of \$209.56, plus a like amount each month thereafter; and failure to pay the real property taxes for the years 1987-88 in the amount of \$617.38; 1988-89 in the amount of \$639.23; 1989-90 in the amount of \$691.93; 1990-91 in the amount of \$601.50.

The sum owing on the obligation secured by the trust deed is: \$25,168.64 plus interest at the rate of 9.5% per annum from October 1, 1990, plus 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 March 27, 1991, 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: November 14, 1990.

William L. Sisemore, Trustee  
#2185 Dec. 14, 21, 28, 1990, Jan. 4, 1991

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**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

Sherri DeBoef Burns

735 Hutchinson  
Kalamazoo, MI 49008-000

Randy L. Burns

2340 Garden 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 November 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 November, 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

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

AFTER RECORDING RETURN TO  
**WILLIAM L. SISEMORE**  
Attorney at Law  
540 Main Street  
Klamath Falls, OR 97601

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

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### TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON.

County of     Klamath    

**SS.**

1. William L. Sisemore

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

*I am the*

*trustee in that certain trust deed executed and delivered by*

Randy L. Burns and Sherri DeBoef Burns

*. as grantor*

to William L. Sisemore

*as trustee.*

in which Klamath First Federal Savings and Loan Association

is beneficiary, recorded on December 10 1983 in the mortgage records of Klamath

County, Oregon, in Book/leaf/volume No. MB3, at page 19457, of as the file/instrument number/in precep-  
tion No. X.X.X.X.X and date whish, covering the following described real property situated in said county:

Lot 458 in Block 121 of Mills 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.

I hereby certify that on November 14, 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.

**Trustee**

Subscribed, sworn to and acknowledged before me this 14th day of November, 1990

.....  
*Notary Public for Oregon*

My Commission expires: 8/2/91

**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 Klamath } ss.

I certify that the within instrument was received for record on the 26th day of March, 1991, at 3:21 o'clock P.M., and recorded in book/reel/volume No. M91 on page 5393 or as fee/title/instrument/microfilm/reception No. 27420. Record of Mortgages of said County.

Witness my hand and seal of  
County affixed.

..... Evelyn Biehn, County Clerk  
NAME TITLE

By Caroline M. Nichols Deputy

**Fee \$23.00**