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

Vol. 1191 Page 9927

Vol. 1191 Page 1109

Reference is made to that Trust Deed wherein David Mott

\_\_\_\_\_, is Grantor;  
Mountain Title Company of Klamath County \_\_\_\_\_, is Trustee; and  
Andrew A. Silani, Trustee for the Andrew Albert Silani Trust \_\_\_\_\_, is Beneficiary,  
recorded in Official/Microfilm Records, Vol. M90, Page 4334, \_\_\_\_\_ Klamath \_\_\_\_\_ County, Oregon,  
covering the following-described real property in \_\_\_\_\_ Klamath \_\_\_\_\_ County, Oregon:

PARCEL 1: The NW $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; and the S $\frac{1}{2}$  of the NE $\frac{1}{4}$ , of Section 7, Township 36 South,  
Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2: The East one-half of the NW $\frac{1}{4}$  of Section 7, Township 36 South, Range 12, East  
of the Willamette Meridian, Klamath County, Oregon.

PARCEL 3: The West one-half of the SE $\frac{1}{4}$  of Section 6, Township 36 South, Range 12, East  
of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM: Beginning at the SW corner of the SE $\frac{1}{4}$  of Section 6, Township 36  
South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, thence East  
along the South line of said Section 6, a distance of 160 feet to the point of  
beginning; thence continuing East 100 feet; thence North 2640 feet, more or less, to  
the North line of the SE $\frac{1}{4}$  of said Section 6; thence West 100 feet; thence South  
2640 feet, more or less, to the true point of beginning.

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:  
Payment due on October 15, 1990, in the amount of \$1044.00 and a like payment on the  
15th day of each month thereafter, and failure to pay the real property taxes due on  
the subject property.

The sum owing on the obligation secured by the trust deed is:  
\$77,675.50 plus interest at the rate of 10% per annum from November 21, 1990.

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 May 28, 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: January 16, 1991.

William L. Sigemore, Trustee  
Successor Trustee

STATE OF OREGON, County of Klamath

The foregoing was acknowledged before me on January 16, 1991 by \_\_\_\_\_ ss  
William L. Sigemore

Christine Sigemore Notary Public for Oregon — My Commission Expires: Aug 2, 1991

Certified to be a true copy:

\_\_\_\_\_  
Attorney for Trustee

STATE OF OREGON, County of Klamath ss  
Filed for record on January 16, 1991 at 3:48 o'clock P.m.  
and recorded in M91 page 1109 of mortgages.

Evelyn Biehn Klamath \_\_\_\_\_ County Clerk by Pauline Mulendore, Deputy

Fee \$8.00  
After recording return to:

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



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9928



## 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 successorDavid Mott

trustee in that certain trust deed executed and delivered by

to Mountain Title Company of Klamath County

as grantor

in which Andrew A. Silani, Trustee for the Andrew Albert Silani Trust

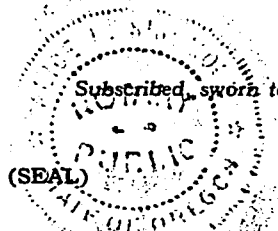
as trustee,

is beneficiary, recorded on March 7, 1990, in the mortgage records of KlamathCounty, Oregon, in book/reel/volume No. M90, at page 4334 ~~for trustee/file/instrument/microfilm/recep-~~~~tion No. X.X.X.X.X (And to which)~~, covering the following described real property situated in said county:PARCEL 1: The NW $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; and the S $\frac{1}{2}$  of the NE $\frac{1}{4}$ , of Section 7, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.PARCEL 2: The East one-half of the NW $\frac{1}{4}$  of Section 7, Township 36 South, Range 12, East of the Willamette Meridian, Klamath County, Oregon.PARCEL 3: The West one-half of the SE $\frac{1}{4}$  of Section 6, Township 36 South, Range 12, East of the Willamette Meridian, Klamath County, Oregon.EXCEPTING THEREFROM: Beginning at the SW corner of the SE $\frac{1}{4}$  of Section 6, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, thence East along the South line of said Section 6, a distance of 160 feet to the point of beginning; thence continuing East 100 feet; thence North 2640 feet, more or less, to the North line of the SE $\frac{1}{4}$  of said Section 6; thence West 100 feet; thence South 2640 feet, more or less, to the true point of beginning.I hereby certify that on January 16, 1991, 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 16 day of January, 1991.William L. Sisemore

Notary Public for Oregon

My Commission expires: 8-2-91TRUSTEE'S AFFIDAVIT  
AS TO NON-OCCUPANCY

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 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/instru-  
ment/microfilm/reception No.           ,  
Record of Mortgages of said County.Witness my hand and seal of  
County affixed.

NAME

TITLE

By                      Deputy

ON

9929

**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
David Mott	32169 Camino Capistrano San Juan, Capistrano, CA 92675

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 16 January, 1991. 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 16 day of January, 1991.

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

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 16 day of January, 1991, at 11 o'clock AM, and recorded in book/reel/volume No. 1 on page 1 or as fee/file/instrument/microfilm/reception No. 1, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By William L. Sisemore Deputy

# Affidavit of Publication

9930

## STATE OF OREGON, COUNTY OF KLAMATH

I, DEANNA AZEVEDO

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 #2347

TRUSTEE'S NOTICE OF DEFAULT

MOTT

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:

JANUARY 25, 1991

FEBRUARY 1, 1991

FEBRUARY 8, 1991

FEBRUARY 15, 1991

Total Cost: \$198.56

Deanna L. Azevedo

Subscribed and sworn to before me this 15TH

day of FEBRUARY 19 91

Lita Backe  
Notary Public of Oregon

My commission expires 12-15-94

**TRUSTEE'S NOTICE OF DEFAULT  
AND ELECTION TO SELL AND OF SALE**  
Reference is made to that Trust Deed wherein  
David Mott, Grantor, Mortgaged Title Com-  
pany of Klamath County, Trustee, and An-  
drew A. Mott, Trustee for the Andrew Albert  
Mott Trust, to Beneficiary, recorded in Of-  
ficial/Recorder's Records, Vol. M90, Page 4334,  
Klamath County, Oregon, covering the fol-  
lowing described real property in Klamath County,  
Oregon:  
**PARCEL 1:** The NW 1/4 of the NE 1/4, and the SW  
1/4 of the NW 1/4 of Section 7, Township 34 South,  
Range 12 East of the Willamette Meridian,  
Klamath County, Oregon.  
**PARCEL 2:** The East one-half of the NW 1/4 of  
Section 7, Township 34 South, Range 12 East of  
the Willamette Meridian, Klamath County,  
Oregon.  
**PARCEL 3:** The West one-half of the SE 1/4 of  
Section 4, Township 34 South, Range 12 East of  
the Willamette Meridian, Klamath County,  
Oregon.  
**EXCEPTING THEREFROM:** Beginning at the  
SW corner of the SE 1/4 of Section 4, Township 34  
South, Range 12 East of the Willamette Meri-  
dian, Klamath County, Oregon; thence East  
along the Southeast line of said Section 4, a distance  
of 100 feet, more or less, to a point; thence North  
along the East line of said Section 4, a distance  
of 100 feet, more or less, to the NW corner of said  
Section 4; thence North 100 feet, more or less, to  
the NW corner of said Section 4; thence North 100  
feet, more or less, to the true point of begin-  
ning.  
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: Payment due on October 15, 1990, in  
the amount of \$1044.00 and a like payment on the  
15th day of each month thereafter, and failure to  
pay the real property taxes due on the subject  
property.  
The sum owing on the obligation secured by the  
trust deed is: \$77,475.50 plus interest at the rate  
of 10% per annum from November 21, 1990 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 prop-  
erty to satisfy the obligation pursuant to ORS  
86.705 to 86.735.  
The property will be sold as provided by law on  
May 28, 1991, at 10:00 o'clock a.m. based on  
standard of time established by ORS 187.110 at  
540 Main St., 201, Klamath Falls, Klamath  
County, Oregon.  
Interested persons are notified of the right under  
ORS 86.723 to have this proceeding dismissed  
and the trust deed reinstated by payment of the  
entire amount then due, other than such portion  
as may have been paid by the grantor, plus the costs  
incurred, together with costs. Trustee's and at-  
torney's fees and all during any other default  
contingencies as set forth in the trust deed prior to  
five days before the date herein set for sale.  
Witness my hand and the seal of said County  
this 15th day of February, 1991.  
David Mott, Grantor  
Andrew A. Mott, Trustee for the Andrew Albert  
Mott Trust

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

Wm Sisemore

on this 28 day of May A.D., 19 91  
at 10:30 o'clock A M. and duly recorded  
in Vol. M91 of Mtgs Page 9927.

Evelyn Biehn County Clerk

By Bernetha A. Hetch

Deputy.

Fee, 23.00