

42067

47875

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

Vol. 92 Page 5119

Vol. 92 Page 16186

Reference is made to that Trust Deed wherein Dale R. Olson and Shirley M. Olson, husband & wife, is Grantor;  
William Sisemore, is Trustee; and  
Klamath First Federal Savings and Loan Association, is Beneficiary,  
 recorded in Official/Microfilm Records, Vol. M84, Page 3697 Klamath County, Oregon,  
 covering the following-described real property in Klamath County, Oregon:

A portion of Lot A Enterprise Tract #24, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the West line of Lot A of Subdivision of Enterprise Tract 24, Klamath County, Oregon, 675 feet South of the Northwest corner of said Lot A; thence South along the West line of said Lot A, 75 feet; thence East 299.5 feet; thence North 75 feet; thence West 299.5 feet to the place 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:  
 Failure to make payment due on September 1, 1990, and monthly thereafter.

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

\$33,280.64 plus interest from February 1, 1992, 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 July 22, 19 92, 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.

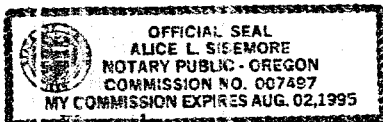
Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by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

Dated: March 11, 1992, William L. Sisemore, Trustee

STATE OF OREGON, County of Klamath ss  
 The foregoing was acknowledged before me on March 11, 19 92 by William L. Sisemore

Alice L. Sisemore Notary Public for Oregon — My Commission Expires: August 2, 19 95

Certified to be a true copy:



STATE OF OREGON, County of Klamath  
 Filed for record on March 11, 19 92, at 11:17 o'clock A.m.  
 and recorded in M92 page 5119 of mortgages

Evelyn Biehn Klamath County Clerk by Dorlene M. Biehn, Deputy

After recording return to: Fee \$10.00

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

INDEXED  
 D. V. L. V.

William L. Sisemore  
 Attorney at Law  
 540 Main St., #301  
 Klamath Falls, OR 97601-6067  
 Telephone: (503) 882-7229

U.S. BANKRUPTCY COURT  
 DISTRICT OF OREGON  
 FILED

JAN 27 1992

TERENCE H. DUNN, CLERK  
 BY ~~XXXXXXXXXXXX~~ DEPUTY

Attorney for Klamath First Federal Savings  
 and Loan Association

UNITED STATES BANKRUPTCY COURT  
 FOR THE DISTRICT OF OREGON

In re: :  
 : Case NO. 690-63828-R07  
 DALE R. OLSON and SHIRLEY OLSON, :  
 : ORDER FOR RELIEF FROM  
 : AUTOMATIC STAY  
 Debtors. :

THIS MATTER having come before the Court upon the Motion for Relief from Automatic Stay filed by Klamath First Federal Savings and Loan Association; it appearing to the Court that copies of the Motion for Relief from Automatic Stay and Notice of Motion for Relief from Stay were mailed to the Debtors, their attorney, Michael A. Grassmuck, Inc., Trustee, and Paul J. Garrick, U. S. Bankruptcy Trustee; that none of the parties have filed an objection to the Creditor's Motion,

NOW, THEREFORE, IT IS HEREBY ORDERED that the automatic stay provided by Chapter 11 USC Section 362 is hereby terminated as to Klamath First Federal Savings and Loan Association and Klamath First Savings and Loan Association may proceed to foreclose its trust deed against the property described as follows:

Order for Relief from  
 Automatic Stay - Page 1.

WILLIAM L. SISEMORE  
 Attorney at Law  
 540 Main Street  
 KLAMATH FALLS, ORE.  
 97601

503/882-7229

O.S.B. #70133

1 A portion of Lot a ENTERPRISE TRACT #24, in the County of Klamath, State  
2 of Oregon, more particularly described as follows:

3 Beginning at a point on the West line of Lot A of Subdivision of Enterprise  
4 Tract No. 24, Klamath County, Oregon, 675 feet South of the Northwest corner of  
5 said Lot A; thence South along the West line of said Lot A, 75 feet; thence East  
6 299.5 feet; thence North 75 feet; thence West 299.5 feet to the place of  
7 beginning.

8 Dated this \_\_\_\_ day of January, 1992.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
/s/ Albert E. Radcliffe  
Bankruptcy Judge

Order for Relief from  
Automatic Stay - Page 2.

WILLIAM L. SISEMORE  
Attorney at Law  
540 Main Street  
KLAMATH FALLS, ORE.  
97601

503/882-7229

O.S.B. #70133

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

16189

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 92-02607

Received for Service 03/11/92

I hereby certify that I received for service on  
CUNNINGHAM, LANCE  
the within:

TRUSTEE'S NOTICE OF DEFAULT-SALE/ELECTION TO SELL

CUNNINGHAM, LANCE  
was served by leaving at true copy with  
SMALLWOOD, CATHY  
a person over the age of fourteen years who resides  
at the place of abode of the within named located at  
2201 ARTHUR  
KLAMATH FALLS  
at 15:04 hours. , OR, on 03/16/92,

All search and service was made within Klamath County, State of  
Oregon.

Carl R. Buckhart, Sheriff  
Klamath County, Oregon

BY Rebecca D. Bailey  
BAILEY, REBECCA

Copy to:

SIEMORE, WILLIAM L.  
540 MAIN  
KLAMATH FALLS

#201  
OR 97601

16190

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 92-00887

Received for Service 03/11/92

I hereby certify that I received for service in  
SMALLWOOD, CATHY  
she within:

TRUSTEE'S NOTICE OF DEFAULT-SALE/ELECTION TO SELL

SMALLWOOD, CATHY  
was served personally, and in person, at  
2201 ARTHUR  
KLAMATH FALLS, OR, on 03/16/92,  
at 15:04 hours.

All search and service was made within Klamath County, State of Oregon.

Carl R. Burkhardt, Sheriff  
Klamath County, Oregon

By

*Rebecca Dailey*  
DAILEY, REBECCA

Copy to:

SEBEMORE, WILLIAM L  
340 MAIN  
KLAMATH FALLS

#301  
OR 97601

## NOTICE OF SUBSTITUTE SERVICE

TO: LANCE CUNNINGHAM

You are hereby notified that you have been served with:

Summons and Complaint in Case entitled:

XXXX Trustee's Notice of Default and Election to Sell and of Sale of that Trust deed wherein Dale R. Olson and Shirley M. Olson, husband and wife, is grantor, to William Sisemore, Trustee, and Klamath First Federal Savings and Loan Association, is beneficiary, recorded in the Mortgage Records of Klamath County, Oregon, Vol. H-22, page or document no. 5119, certified copy of which is attached hereto.

By Substitute Service on Cathy Smallwood, a person over the age of 14 years of age who resides at your place of abode on March 16, 1992, at 15:04 hours ~~xxxxxx~~ at 2201 Arthur St., Klamath Falls, OR.

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: Lance Cunningham, 2201 Arthur St., Klamath Falls, OR 97603

with postage fully prepaid, and deposited the same in the U. S. Mail at Klamath Falls, Oregon, on March 20, 1992.

William L. Sisemore  
William L. Sisemore  
Attorney for Trustee

Subscribed and Sworn to before me this 20th day of March, 1992

Court M. Feltz  
Notary Public for Oregon  
My Commission Expires: 2-5-93

16192

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

Dale R. Olson  
1725 Arthur Street  
Klamath Falls, OR 97603

Shirley M. Olson  
1725 Arthur Street  
Klamath Falls, OR 97603

Curtis O. Baney  
c/o Lynn F. Jarvis  
Gray, Francher, Holmes,  
Hurley, Bryant & Lovlien  
Attorneys at Law  
P.O. Box 1151  
Bend, OR 97709-1151

Albert George Olson  
20 Wheeler Lane  
Crescent City, CA 95531

Dorothy M. Olson  
20 Wheeler Lane  
Crescent City, CA 95531

Michael A. Grassmuck, Inc.  
Bankruptcy Trustee  
P.O. Box 1783  
Medford, OR 97501-0140

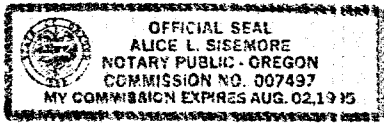
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 March, 1992. 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 on March 11, 1992.



Alice L. Sisemore  
Notary Public for Oregon. My commission expires 8-2-95

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

TO

Trustee

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

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES 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/recaption 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, Sarah Parsons, 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 #4252

TRUSTEE'S NOTICE OF SALE

DALE R. & SHIRLEY M. OLSON

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:

MARCH 16, 23, 30, 1992

APRIL 6, 1992

Total Cost: \$215.60

*Sarah L. Parsons*

Subscribed and sworn to before me this \_\_\_\_\_ 6TH

day of APRIL, 1992

*[Signature]*

Notary Public of Oregon

My commission expires \_\_\_\_\_ 1992

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ Wm. L. Sisemore \_\_\_\_\_ the \_\_\_\_\_ 22nd \_\_\_\_\_ day  
of \_\_\_\_\_ July \_\_\_\_\_ A.D., 92 at 10:49 o'clock \_\_\_\_\_ A.M., and duly recorded in Vol. M92  
of \_\_\_\_\_ Mortgages \_\_\_\_\_ on Page 16186

FEE \$45.00

Evelyn Biehn -County Clerk

By \_\_\_\_\_

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

Reference is made to that Trust Deed  
wherein Dale R. Olson and Shirley M.  
Olson, husband & wife, is Grantor;  
William L. Sisemore, is Trustee; and  
Klamath First Federal Savings and Loan  
Association, is Beneficiary, recorded in  
Official/Microfilm Records, Vol. M84,  
Page 3697, Klamath County, Oregon,  
covering the following-described real  
property in Klamath County, Oregon:  
A portion of Lot A Enterprise Tract #24, in  
the County of Klamath, State of Oregon,  
more particularly described as follows:  
Beginning at a point on the West line of  
Lot A of Subdivision of Enterprise Tract  
24, Klamath County, Oregon, 675 feet  
South of the Northwest corner of said Lot  
A; thence South along the West line of  
said Lot A, 75 feet; thence East 299.5 feet;  
thence North 75 feet; thence West 299.5  
feet to the place 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: failure to make a  
payment due on September 1, 1990, and  
monthly thereafter.

The sum owing on the obligation secured  
by the trust deed is: \$33,280.64 plus inter-  
est from February 1, 1992, plus late  
charges, plus trustee's fees, attorney's  
fees, foreclosure costs and any sums ad-  
vanced by beneficiary pursuant to the  
terms of said trust deed.

Beneficiary has and does elect to sell the  
property to satisfy the obligation pur-  
suant to ORS 86.705 to 86.795.

The property will be sold as provided by  
law on July 22, 1992, 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 pro-  
ceeding 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: March 11, 1992.

/s/ William L. Sisemore, Trustee  
#4252 March 16, 23, 30, April 6, 1992