

87340

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

93362

Vol. m95 Page 507

Reference is made to that Trust Deed wherein Denise Rogers and Kelly Leighton  
or the survivor thereof, is Grantor;  
Mountain Title Company of Klamath Falls is Trustee; and Klaus G. Hanke and Brigitta A. Hanke  
Trustees of the Hanke Family Trust, dated Mar 30, 1990, is Beneficiary,  
recorded in Official/Microfilm Records, Vol. 292, Page 513, Klamath County, Oregon,  
covering the following-described real property in Klamath County, Oregon:

W 1/2 of the W 1/2 of the E 1/2 of the E 1/2 of the NE 1/4 of Section 15,  
Township 30 South, Range 10 East of the Willamette Meridian, 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:

June 12, 1994 payment of \$15.00 and \$135.00 on the 12th day of each month  
thereafter

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

\$7,937.72 plus interest from June 13, 1994

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 January 9, 1995, at 10:15 o'clock a.m.  
based on standard of time established by ORS 187.110 at 540 Main Street, Room 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.

Date: September 1, 19 94.

William L. Sisemore Successor Trustee

STATE OF OREGON, County of Klamath,  
The foregoing was acknowledged before me on September 1, 19 94 by William L. Sisemore

Michelle Marie Pridemore Notary Public for Oregon — My Commission Expires: 12-23, 19 94

Cert filed to be a true copy:



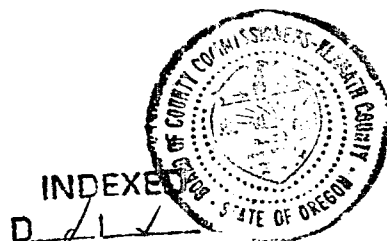
Attorney for Trustee

STATE OF OREGON, County of Klamath,  
Filed for record on Sept. 2nd, 19 94 at 1:30 o'clock P.m.  
and recorded in 1994 page 27626 of mortgages.

Evelyn Bienn, Klamath County Clerk by Debbie Mulender, Deputy

After recording return to:

Fee \$10.00



01-09-95P01:22 KCVU

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

508

STATE OF OREGON )  
 ) SS  
County of Klamath )

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 AND ADDRESS

Denise Rogers  
39 Main Street #1  
Klamath Falls, OR 97601

Kelly Leighton  
39 Main Street #1  
Klamath Falls, OR 97601

Denise Rogers  
360 Brown Street  
Vacaville, CA 95688

Kelly Leighton  
360 Brown Street  
Vacaville, CA 95688

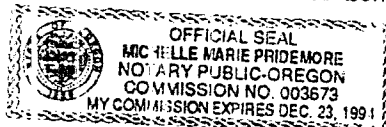
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 full prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on September 2, 1994. 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 property 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.

William L. Sisemore  
William L. Sisemore

Subscribed and sworn to before me on September 2, 1994.



Michelle Marie Pridemore  
Notary Public for Oregon  
My Commission Expires: 12-23-94

STATE OF OREGON )  
 ) SS  
County of Klamath )

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/real/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.

After recording, return to:

BY \_\_\_\_\_ Deputy

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

# 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 #5745

TRUSTEE'S NOTICE OF DEFAULT

DENISE ROGERS AND KELLY LEIGHON

KLAUS G HANKE AND BRIGITTA A HANKE

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

SEPTEMBER 9, 16, 23, 30, 1994

Total Cost: \$267.52

*Sarah L. Parsons*

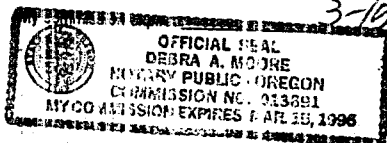
Subscribed and sworn to before me this 30TH

day of SEPTEMBER 1994

*Debra A. Moore*

Notary Public of Oregon

3-15 1994



TRUSTEE'S NOTICE OF DEFAULT AND SALE OF REAL PROPERTY. Notice is made to all persons interested in the said real property that the undersigned, Denise Rogers and Kelly Leighon, as co-trustees of the Klamath Falls Trust, and Klaus G. Hanke and Brigitta A. Hanke, as co-trustees of the Hanke Family Trust, dated March 30, 1994, are the Beneficiary, as shown in the Official Public Records, Vol. 92, Page 5186, Klamath County, Oregon, concerning the following described real property in Klamath County, Oregon: W 1/2 of the E 1/2 of the N 1/4 of Section 15, Township 30 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon. No action is pending to cover 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: June 11, 1994 payment of \$115.00 and \$115.00, on the 12 day of each month thereafter. The amount owing on the obligation secured by the trust deed is: \$7,837.19, plus interest from June 11, 1994, plus attorney's fees, and costs of foreclosure. Any sums advanced to the Beneficiary pursuant to the terms of said trust deed.

Beneficiary has and does elect to sell the said real property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on January 9, 1995, at 10:15 o'clock a.m., based on standard of time established by ORS 187.130, at 540 Main Street, Room 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: September 1, 1994

William Sisemore,  
Successor Trustee  
#6745 September 9, 16,  
23, 30, 1994

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

510

STATE OF OREGON,

County of Klamath

ss.

I, William L. Sisemore,

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

I am the Successor

Denise Rogers and Kelly Leighton, or the trustee in that certain trust deed executed and delivered by  
Mountain Title Company of Klamath Falls as grantor  
in which Klaus G. Hanke and Brigitte A. Hanke, Trustees of the Hanke Family Trust dated  
March 30, 1990, as trustee,

is beneficiary, recorded on March 19, 1992, in the mortgage records of Klamath  
County, Oregon, in book/reel/volume No. M92, at page 5186

or as fee/file/instrument/microfilm/reception No. (indicate which) covering the following described real property situated in said county:

W 1/2 of the W 1/2 of the E 1/2 of the E 1/2 of the NE 1/4 of Section 15,  
Township 30 South, Range 10 East of the Willamette Meridian, Klamath  
County, Oregon

I hereby certify that on September 2, 1994,

The word "trustee" as used in the 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 2nd day of September, 1994

(SEAL)

OFFICIAL SEAL  
MICHELLE MARIE PRIDEMORE  
NOTARY PUBLIC, OREGON  
COMMISSION NO. 00373  
MY COMMISSION EXPIRES: DEC. 23, 1994

Michelle Marie Pridemore  
Notary Public for Oregon

My Commission expires: 12-23-94

TRUSTEE'S AFFIDAVIT  
AS TO NON-OCCUPANCY

RE Trust Deed from

(Grantor)

to

(Trustee)

AFTER RECORDING RETURN TO

DO NOT USE THIS  
FORM IF RESERVED  
FOR RECORDING  
IN CLERK'S OFFICE  
(HERE USED.)

STATE OF OREGON,  
County of Klamath

I certify that the within instrument  
was received for record on the 9th day  
of January, 1995,  
at 1:30 o'clock P.M., and recorded  
in book/reel/volume No. M95 on  
page 507 or as fee/file/instrument/microfilm/reception No. 93362,  
Record of Mortgages of said County.

Witness my hand and seal of  
County affixed.

Bernetha G. Letsch, County Clerk  
NAME TITLE

By [Signature] Deputy

Fee \$25.00