88820

09-27-94A11:29 RCVD

Vol M94 Page 30302

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

94657

Vol M95 Page 2918

02-09-95P03:53 RCVD

Reference is made to that Trust Deed wherein David M. Miller and Sheila R. Miller, husband & wife, William L. Sisemore, is Grantor, Klamath First Federal Savings and Loan Association, is Trustee; and recorded in Official/Microfilm Records, Vol. M87, Page 11146, Klamath, is Beneficiary, covering the following-described real property in Klamath County, Oregon, County, Oregon:

A parcel of land situated in the West 1/2 of the Northwest 1/4 of Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a 1/2 inch iron pipe on the section line common to Sections 27 and 28 from which the Section corner common to Sections 21, 22, 27 and 28 bears North 00°38'00" West, 1102.20 feet; thence North 00°38'00" West, 330.00 feet along said Section line to a 1/2 inch rebar; thence South 89°56'51" East, 329.60 feet to a 1/2 inch rebar; thence South 00°39'49" East, 330.00 feet to a 1/2 inch rebar; thence North 89°56'51" West, 329.77 feet to the point of beginning.

note corrected legal description

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: Installment due April 25, 1994, in the amount of $622.00, a like installment on the 25th day of each and every month thereafter.

The sum owing on the obligation secured by the trust deed is: $55,806.77 plus interest at the rate of 9.250% from March 1, 1994, 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 February 9, 19 95, 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 ocurred, 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 27, 19 94. William L. Sisemore, Trustee

STATE OF OREGON, County of Klamath ss

The foregoing was acknowledged before me on September 27, 19 94 by William L. Sisemore,

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

OFFICIAL SEAL
ALICE L. SISEMORE
NOTARY PUBLIC - OREGON
COMMISSION NO. 007497
MY COMMISSION EXPIRES AUG. 02,1995

Certified to be a true copy: _____ Attorney for Trustee

STATE OF OREGON, County of Klamath ss

Filed for record on September 27th, 19 94 at 11:29 o'clock A.m. and recorded in M94 page 30302 of mortgages.

Evelyn Biehn, Klamath County Clerk by Pauline Muldendore, Deputy

After recording return to: Fee $10.00

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

BOARD OF COUNTY COMMISSIONERS · KLAMATH COUNTY · STATE OF OREGON

45

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 #6814

TRUSTEE'S NOTICE OF SALE

DAVID M MILLER & SHEILA R MILLER/

KLAMATH FIRST FEDERAL SAVINGS & LOAN

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:

OCTOBER 6, 13, 20, 27, 1994

Total Cost: $341.28

Sarah L. Parsons

Subscribed and sworn to before me this 27TH day of OCTOBER 19 94

Debra A. Moore

Notary Public of Oregon

My commission expires 3-15 19 96

OFFICIAL SEAL
DEBRA A. MOORE
NOTARY PUBLIC - OREGON
COMMISSION NO. 013891
MY COMMISSION EXPIRES MAR 15, 1996

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

Reference is made to that trust deed executed by David M. Miller and Sheila R. Miller, husband and wife, as Grantor, William L. Sisemore, as Trustee, in favor of Klamath First Federal Savings and Loan Association, as Beneficiary, recorded in Official Microfilm Records, Vol. M87, Page 11144, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

A parcel of land situated in the West 1/2 of the Northwest 1/4 of Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a 1/2 inch iron pipe on the section line common to Sections 27 and 28 from which the Section corner common to Sections 21, 22, 27 and 28 bears North 00°38'00" West, 1102.20 feet; thence North 00°38'00" West, 330.00 feet along said Section line to a 1/2 inch rebar; thence South 89°56'51" East, 329.60 feet to a 1/2 inch rebar; thence South 00°39'49" East, 330.00 feet to a 1/2 inch rebar; thence North 89°56'51" West, 329.77 feet to the 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: installment due April 25, 1994, in the amount of $[illegible], a like installment on the 25th day of each [illegible] every month thereafter.

The sum owing on the obligation secured by the trust deed is $85,306.77 plus interest at the rate of 9.250% from March 1, 1994, 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 February 9, 1995, 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: September 27, 1994.

William L. Sisemore,
Trustee

#6814 October 6, 13, 20, 27, 1994

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

2920

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

David M. Miller
421 Telephone Flat Road
Chiloquin, OR. 97624

Sheila R. Miller
421 Telephone Flat Road
Chiloquin, OR. 97624

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 October 5th, 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

Subscribed and sworn to before me on October 5th, 1994.

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

OFFICIAL SEAL
MICHELLE MARIE PRIDEMORE
NOTARY PUBLIC-OREGON
COMMISSION NO 003673
MY COMMISSION EXPIRES DEC 23 1994

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
_____
_____
_____

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

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

May-Slade Oil Company
953 S. Spring Street
Klamath Falls, OR 97601

Clough Oil Company
3303 Washburn Way
Klamath Falls, OR 97603

Ellen Willis, Revenue Agent
State of Oregon
Department of Revenue
Salem Central Office
P.O. Box 14725
Salem, OR 97309

Evelyn Biehn
Klamath County Clerk
830 Klamath Avenue
Klamath Falls, OR 97601

South Valley State Bank
5215 So. Sixth Street
Klamath Falls, OR 97603

Chief, Special Procedures Section
District Director of Internal Revenue
1220 SW 3rd
Portland, OR 97204

Mary Jenkins, Revenue Agent
State of Oregon
Medford District Office
24 West Sixth
Medford, OR 97501-2705

Pamela A. Mattson
Assistant Director, DHR
Administrator, Employment Div.
Dept. of Human Resources
Salem, OR 97311

" Continued on next page"

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 Sept 28, 19 94 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

Subscribed and sworn to before me on September 28, 19 94.

OFFICIAL SEAL
MICHELLE MARIE PRIDEMORE
NOTARY PUBLIC-OREGON
COMMISSION NO. 003673
MY COMMISSION EXPIRES DEC. 23, 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

Western Timber Co.
c/o Galen L. Bland
Attorney at Law
10260 S.W. Greenburg Rd.,
Suite 900
Portland, OR 97223

Industrial Finance Co.
P.O. Box 407
Eugene, OR 97440

Weyerhaeuser Tacoma Credit Union
33615 - 1st Avenue
Federal Way, WA 98003

Southern Oregon Credit Service
841 Stewart Ave., Suite 11
Medford, OR 97501

Hilton Trucking & Supply Co.
8087 Blackwell Road
Central Point, OR 97502

FORM No. 932 NOTICE OF NONJUDICIAL SALE.

STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OREGON 97204

TN

ASCC

23923

NOTICE OF NONJUDICIAL SALE

RE David M. Miller & Sheila R. Miller, husband & wife
TAXPAYER(S)

To the Secretary of the Treasury of the United States:

*You are hereby notified of the proposed sale of the following described property:** A parcel of land situated in the West 1/2 of the Northwest 1/4 of Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows: Beginning at a 1/2 inch iron pipe on the section line common to Sections 27 and 28 from which the Section corner common to Sections 21, 22, 27 and 28 bears North 00°38'00" West, 1102.20 feet; thence North 00°38'00" West, 330.00 feet along said Section line to a 1/2 inch rebar; thence South 89°56'51" East, 329.60 feet to a 1/2 inch rebar; thence South **

** continued on reverse side

belonging to the above named taxpayer(s), and the following information is given with respect thereto:

1. The proposed sale will be held at 540 Main St., #301, Klamath Falls, OR 97601 *on* Feb 9, *19*95, *at* 10:00 *o'clock* A.M., *on the following terms* cash

2. The approximate amount of the principal obligation, including interest, secured by the lien sought to be enforced and a description of the other expenses which may be charged against the sale proceeds, are as follows:

Principal amount	$55,806.77
Interest to date of sale	$
Legal fees	$ 700.00
Selling costs estimated to be	$ 850.00
Other:	$

3. (A) A copy of each Notice of Federal Tax Lien (Form 668) affecting the property to be sold is attached hereto, OR

(B) The following information is given with respect to each Notice of Federal Tax Lien:

(i) The Internal Revenue District named thereon:

(ii) Taxpayers Name(s):

Address

(iii) Date of filing lien: ; *Place of filing:*

☐ *Check if Section (B) is used to supply information AND more than one lien is submitted. Provide above information with respect to each lien on an attached sheet or on the reverse hereof.*

4. The name and address of the person submitting this Notice of Sale is:

William L. Sisemore, Attorney at Law
NAME
540 Main Street, #301
NUMBER and STREET
Klamath Falls, OR 97601
CITY, STATE, ZIP

DATED: September 27, *19*94

**Provide a detailed description, including location, of the property affected by the notice (in case of real property, the street address, city and State and the legal description contained in the title or deed to the property and, if available, a copy of the abstract of title). In case of the sale of perishable property, include a statement of the reasons the property is believed to be perishable.*

AFFIDAVIT OF MAILING

STATE OF OREGON, County of Klamath } ss.

I, William L. Sisemore, *being first duly sworn, depose and say: That on* September 27, *19*94, *I notified the Secretary of the Treasury of the United States of the proposed sale described in the foregoing Notice, by mailing a copy of said Notice together with any attachments described therein, to the delegate of the said Secretary of the Treasury, to-wit: Chief, Special Procedures Section, District Director of Internal Revenue,* 1220 SW 3rd, Portland, OR 97204, *all in conformity with Reg. § 301.7425-3(d)(1), Income Tax Regulations promulgated by the Secretary of the Treasury; that said Notice and attachments were contained in a sealed envelope, addressed as aforesaid, and deposited by me with postage thereon fully prepaid, in the United States Registered or Certified Mail at* Klamath Falls, OR 97601, *on* September 27, *19*94, *which was not less than twenty-five (25) days prior to the sale.*

William L. Sisemore

Subscribed and sworn to before me this 27 *day of* September, *19*94

(SEAL)

OFFICIAL SEAL
ALICE L. SISEMORE
NOTARY PUBLIC - OREGON
COMMISSION NO. 007497
MY COMMISSION EXPIRES AUG. 02, 1995

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

Receipt and adequacy of the foregoing Notice is acknowledged by the Internal Revenue Service.

Dated , *19*

By

Title:

NOTE—If signed acknowledgement is requested, submit in duplicate.

**00°39'49" East, 330.00 feet to a 1/2 inch rebar; thence North 89°56'51" West, 327.77 feet to the point of beginning.

421 Telephone Flat Road, Chiloquin, OR 97624

FORM No. 1172—TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY—Oregon Trust Deed Series. STEVENS-NESS LAW PUB. CO., PORTLAND, OR. 97204

OC

2925

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 attorney and *trustee in that certain trust deed executed and delivered by* David M. Miller and Sheila R. Miller, husband & wife *as grantor* *to* William L. Sisemore *as trustee,* *in which* Klamath First Federal Savings and Loan Association *is beneficiary, recorded on* June 26, *19*87, *in the mortgage records of* Klamath *County, Oregon, in book/reel/volume No.* M87, *at page* 11146 ~~*or as fee/file/instrument/microfilm/reception No.*~~ x x x x x x x x x x *(indicate which), covering the following described real property situated in said county:*

A parcel of land situated in the West 1/2 of the Northwest 1/4 of Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at 1/2 inch iron pipe on the section line common to Sections 27 and 28 from which the Section corner common to Sections 21, 22, 27 and 28 bears North 00°38'00" West, 1102.20 feet; thence North 00°38'00" West, 330.00 feet along said Section line to a 1/2 inch rebar; thence South 89°56'51" East, 329.60 feet to a 1/2 inch rebar; thence South 00°39'49" East, 330.00 feet to a 1/2 inch rebar; thence North 89°56'51" West, 329.77 feet to the point of beginning.

I hereby certify that on October 4, *19*94, *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
Trustee

Subscribed, sworn to and acknowledged before me this 9th *day of* February, *19*95

OFFICIAL SEAL
MICHELLE M. PRIDEMORE
NOTARY PUBLIC - OREGON
COMMISSION NO. 040288
MY COMMISSION EXPIRES DEC. 23, 1998

(SEAL)

Michelle M. Pridemore
Notary Public for Oregon

My Commission expires: 12-23-98

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.)

Fee $45.00

STATE OF OREGON,
County of Klamath } ss.

I certify that the within instrument was received for record on the 9th *day of* Feb, *19*95, *at* 3:53 *o'clock* P.*M., and recorded in book/reel/volume No.* M95 *on page* 2918 *or as fee/file/instrument/microfilm/reception No.* 94657, *Record of Mortgages of said County.*

Witness my hand and seal of County affixed.

Bernetha G. Letsch, County Clerk
NAME TITLE

By Pauline Mullendore *Deputy*