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43697

'97 DEC 24 P1:12

'97 AUG 15 P3:19

Vol. M97 Page 41981
Vol. M97 Page 26961

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

Reference is made to that Trust Deed wherein ANNA L. MIMS, is grantor; ASPEN TITLE & ESCROW, INC., is Trustee; and BRUCE E. BRINK & HELEN WOLTER, not as tenants in common but with full rights of survivorship, is Beneficiary, recorded in Official/Microfilm Records, Vol. M94, page 38365, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

The Northerly 56 feet of Lot 9, Block 201, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

Code 1 MAP 3809-33DB TL 14800

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 the payment due on 6/5/97 in the amount of \$295.00 and a like payment on the 5th day of each month thereafter.

The sum owing on the obligation secured by the trust deed is: \$32,760.25 together with interest from May 5, 1997,

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 December 23, 1997 at 10:00 o'clock a.m. based on standard of time established by ORS 187.110 at 540 Main Street, #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.

This communication is an attempt to collect a debt. Any information obtained will be used for that purpose.

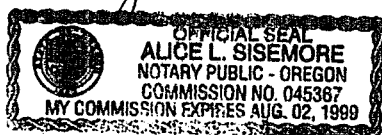
Dated: August 15, 1997.

William L. Sisemore
William L. Sisemore, Successor Trustee

STATE OF OREGON, County of Klamath) ss

The foregoing was acknowledged before me on August 15, 1997, by William L. Sisemore,

William L. Sisemore, Notary Public for Oregon-My Commission Expires 08/02/99



Certified to be a true copy:

Attorney for Trustee

STATE OF OREGON, County of Klamath) ss

Filed for record on August 15, 1997, at 3:10 o'clock p.m. and recorded in M97 page 26961 or as file/reel/document/instrument number 23697 of mortgages.

Bernetha G. Letsch, Klamath County Clerk, by Kathleen

Deputy

After recording, return to:
William L. Sisemore
Attorney at Law
540 Main Street, #301
Klamath Falls, OR 97601

Fee: \$10.00

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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

41982

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

Scott D. MacArthur
PROBATE LEGAL CLINIC, INC.
419 Main Street
Klamath Falls, OR 97601

Gene Mims
P. O. Box 298
Sherman, TX 75091

Ricky Mims
P.O. Box 222
Avenal, CA 93204

Mary Pacheco
P.O. Box 4232
Bisbee, AZ 85603

Willie Mims
P.O. Box 3054
West Helena, AK 73290

LeAnna Whitlock
P.O. Box 298
Sherman, TX 75091

Sarah Conejo
925 Fresno
Avenal, CA 93204

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.

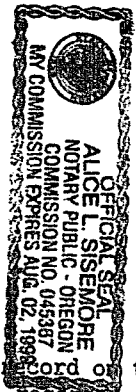
Each of the notices so mailed was certified to be a true copy of the original notice of sale by William L. Sisemore, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon full prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on August 15, 1997. 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 August 15, 1997.

Alice L. Sisemore
Notary Public for Oregon
My Commission Expires: 08/02/99



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:
William L. Sisemore
Attorney at Law
540 Main St., #301
Klamath Falls, OR 97601

BY _____ Deputy

41983

PROOF OF SERVICE JEFFERSON STATE ADJUSTERS

STATE OF OREGON KLAMATH
COUNTY OF _____

COURT CASE NO. _____

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- | | | | | |
|-------------------------------------------------|------------------------------------|----------------------------------------------|-----------------------------------|------------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons | <input type="checkbox"/> Small Claim | <input type="checkbox"/> Motion | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Judgment | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Order | <input type="checkbox"/> Decree | <input type="checkbox"/> Notice | <input type="checkbox"/> Citation |
| <input type="checkbox"/> Notice of Small Claims | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Subpoena | <input type="checkbox"/> Trustee's |
- ☒ TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND TRUSTEE'S NOTICE OF SALE

For the within named: OCCUPANTS OF 1225 OWENS ST, KLAMATH FALLS, OR

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: WILLIAM GENE MIMS at the address below.

☐ SUBSTITUTE SERVICE: By delivering an Original or True Copy to _____ a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such true copy or Original with _____, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.

Upon _____, by (a) delivering such true copy personally and in person, to: _____ who is a/the _____ thereof, or (b) leaving such true copy with _____, the person who is apparently in charge of the office of _____ thereof.

☐ OTHER METHOD: _____ By leaving an Original or True Copy with _____ and after due ☐ NOT FOUND: I certify that I received the within document for service on _____ and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, _____ within _____ County.

1225 OWENS STREET
ADDRESS OF SERVICE STREET
KLAMATH FALLS, CITY
OR STATE
97603 ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

18 AUG 97

DATE OF SERVICE

10:07 a.m.
TIME OF SERVICE

David Felt
SIGNATURE

or not found
PRINTED IN OREGON

Affidavit of Publication

41984

STATE OF OREGON, COUNTY OF KLAMATH

I, Julie Hughes, 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 in general circulation, as
defined by Chapter 193 ORS, printed and
published at Klamath Falls in the
aforesaid county and state; that the

LEGAL #9748

TRUSTEE'S NOTICE.....

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for FOUR

(4) insertion(s) in the following issues:

AUGUST 22/29

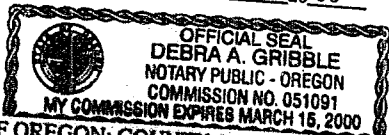
SEPTEMBER

Total Cost: \$303.36

Subscribed and sworn before me this 29TH
day of SEPTEMBER, 19 97

Debra A. Grizzle
Notary Public of Oregon

My commission expires 3-15 2000



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of William L. Sisemore
of December A.D., 19 97 at 1:12 o'clock P. M., and duly recorded in Vol. M97
of Mortgages on Page 41981

FEE \$25.00

By Bernetha G. Letsch, County Clerk

TRUSTEE'S NOTICE Klamath County, Ore-
OF DEFAULT AND gon.
ELECTION TO SELL Interested persons are
AND TRUSTEE'S notified of the right un-
NOTICE OF SALE der ORS 36.753 to have
Reference is made to this proceeding dis-
that Trust Deed when missed and the trust
in ANNA L. MIMS, is deed reinstated by pay-
grantor, ASPEN TITLE ment of the entire
& ESCROW, INC. is amount then due, other
Trustee; and BRUCE than such portion as
E. BRINK & HELEN would not then be due.
WOLTER, not as ten had no default, oc-
curents in common but cured, together with
with full rights of sur costs, trustee's and at-
vivorship, is Beneficiary fees, and by
ary, recorded in Offi curing any other de-
cral / Microfil m fault complained of in
Records, Vol. M94, this notice, at any time
page 16388 Klamath prior to five days be-
County of Oregon, cover fore the date last set
ing the following de for sale
Klamath real property in This communication is
Klamath County, Ore an attempt to collect a
gon: debt. Any information
The Northerly 56 feet of obtained will be used
Lot 9, Block 201, MILLS for that purpose.
SECOND ADDITION Dated: August 15, 1997.
TO THE CITY OF KLA William L. Sisemore,
MATH FALLS, in the Successor Trustee
County of Klamath, #7748 August 22, 29, 1997
State of Oregon. September 5, 12, 1997
Code: MAP 3807 335B
T.L. 1400
No action is pending to
recover any part of the
debt secured by the
trust deed.
The obligation secured
by this deed is in
default because the
grantee has failed to
pay the principal of the
loan of \$25,000.00
plus interest of \$1,250.00
on the date of default.
The trustee is authorized
to sell the property secured
by the trust deed to
satisfy the debt with
interest and costs. The
trust deed is a first
mortgage and any
sums not paid to the
trustee will be paid to
the beneficiary of the
trust deed.
Beneficiary: Anna L. Mims
and
E. Brink & Helen Wolter
Trustees
ORS 36.753
This is a true and
correct copy of the
trust deed as recorded in
the public records of
Klamath County, Oregon,
Book 16388, Page 16388.