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Vol. <u>M98</u> Page <u>47373</u> Vol. <u>M98</u> Page **3049**9

98 AUG 19 A9:42 98 TELEGRAPATE

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

Reference is made to that Trust Deed wherein Michael L. Voiles, is grantor; Aspen Title & Escrew, Inc., is Trustee; and Bruce E. Brink and Helen Wolter, son and mother, or the survivor, is Beneficiary, recorded in Official/Microfilm Records, Vol. M97, page 4571, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

The Northeasterly one-half of Lots Five (5) and Six (6) in Block Twenty-two (22) of INDUSTRIAL ADDITION to the City of Klamath Falls, County of Klamath, State of Oregon.

CODE 1 MAP 3809-33BA TL 2100

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 November 27, 1997 and a like installment due each month thereafter + late charges; failure to pay the 1997-98 real property taxes and hazard insurance.

The sum owing on the obligation secured by the trust deed is: \$27.011.99 + interest from November 20, 1997 + late charges,

plus trustae'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 <u>Fecember 28, 1998</u> at <u>10:00</u> o'clock <u>a.m.</u> based on standard of time established by ORS 187.110 at <u>110 North Sixth St., #205, Klamath Falls, Klamath, County, Oregon.</u>

Interested persons are notified of the right under CRS 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 artempt to collect a debt. Any information obtained will be used for that purpose.

Dated: August /7 , 1993.

William L. Sisemore, Successor Trustee

STATE OF OREGON, County of <u>Klamath</u>) ss
The foregoing was acknowledged before me on <u>August 19</u>, 1998, by <u>William L. Sisemore</u>,

Mile & Meinere , 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 19 , 1998, at 9:42 c.clask A.m. and recorded in M98 page30499 or as file/reel/document/instrument number of mortgages.

Bernetha G. Letsch, Klamath County Clerk, by

After recording, return to: William L. Sisemore
Attorney at Law
110 N. 6th Street, #205
Klameth Falls, OR 97601

INDEXED

2: \$10-D00

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

State of Oregon, Child Support Program/RRS P.C. Box 14506 Salem, OR 97309

Bernetha Letsch Klamath County Clerk 507 Main Street Klamath Falls, OR 97601

Carter-Jones Collection Services 1143 Pine Street Klamath Falls, OR 97601

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 scaled envelope, with postage thereon full prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on August 20, 1998. 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.

meller

William L. Sisemore AUCE: SISEMORE (NOTAPY AUGUS - 0.3EGON (COMMISSION NO. 045357 (MY COMMISSION SOFT AUG. 02. 1999 (My Commission Expires: Motary Public for Oregon My Commission Expires: 08/02/99 STATE OF OREGON County of Klamath I certify that the within instrument was received for record on the _, 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 110 N. 6th Street Klamath Falls, OR 9760

	-1 for $i=1,\ldots,n$. The second of $i=1,\ldots,n$ is the second of $i=1,\ldots,n$.
	NOTICE OF SUBSTITUTE SERVICE
	TO: Michael L. Voiles
	You are hereby notified that you have been served with:
	Trustee's Notice of Default and Election to Sell and Trustee's Notice of Sale of that Trust deed wherein Michael L. Volles is form
	Sale of that Trust deed wherein <u>Michael L. Voiles</u> is/are grantor(s), to <u>Aspen mother</u> , or the survivor, is/are beneficiary(ies), recorded in Mortes. son and
	mother, or the survivor, is/are beneficiary(ies), recorded in Mortgage Records of Which is attached hereto. The survivor of Most and Bruce E. Brink and Helen Wolter, son and of Which is attached hereto.
Į.	By Substitue a
9	By Substitute Service on <u>Diler Catterton</u> , a person over the age of 14 years of age who resides at your place of abode on <u>August 19</u> , 1998, at 5:58 o'clock,
10	9.55 0 Clock,
. 11	Accorney for Plaintiff(a) (m.
12	J. CARSON)
13	County of Klamath)
14	I, William L. Sisemore, certify that I am attorney for Plaintiff; I served service in a sealed envelope.
15	a copy of Complaint and Summons together with the above notice of substitute service in a sealed envelope, plainly addressed to:
16	Michael L. Voiles
. 17	250 Division Klamath Falls, OR 97601
18	with postage fully prepaid, and deposited the same in the U. S. Mail at Klamath
19	
20	Willia Ilea
21	William L. Sisemore Attorney/Trustee for Bruce E. Brink and Helen Wolter
22	Subscribed and Sworn to before me this 15 day of August, 1998.
23	ALCE SEE
24	NOTARY PUBLIC - OREGON Notary Public for Oregon
25	MY COMMISSION NO. 045367 My Commission Expires: 08/02/99
26	Notice of Substitute Service
WILLIAM L SISEMORE	
Altorogy of Law 110 North Edit St. KLAMATH FALLS, ORE.	
97601 541/882-7229 O.E.S. #70133	
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47376

PROOF OF SERVICE JEFFERSON STATE ADJUSTERS

STATE OF OREGON Klampth	COURT CASE NO.
I hereby certify that I served the foregoing individuals or other leg copies or original, certified to be such by the Attorney for the Plai	pal entities to be served, named below, by delivering or leaving true ntiff/Defendant, as follows:
☐ Summons & Complaint ☐ Summons ☐ Pestraining Order ☐ Judgment ☐ Summons & Petition ☐ Order ☐ Notice of Small Claims ☐ Complaint ☐ TRUSTANT HOTICE OF DIFFAULT AND FLECTION TO	☐ Small Claim ☐ Motion ☐ Answer ☐ Affidavit ☐ Petition ☐ Letter ☐ Decree ☐ Notice ☐ Citation ☐ Order to Show Cause ☐ Subpoena
For the within named: Michael L. Voiles And	
D PERSONALLY SERVED: Original or True Copy to withi	at the address below.
SUBSTITUTE SERVICE: By delivering an Original or T a person over the age of 14 who resides at the place of Michael L, Voiles	rue Copy to Dilei? CHTTERTON, i abode of the within named at said abode shown below for:
OFFICE SERVICE: At the office which he/she maintain leaving such true copy or Original with	ns for the conduct of business as shown at the address below, by, the person who is apparently in charge.
SUIT UNDER A COMMON NAME.	, by (a) delivering such true copy personally and in person,
Corporation, Limited Partnership, etc.	who is a/the thereof, or
(b) leaving such true copy with	who is a/trie, the person who is apparently in charge of the office of who is a/the thereof.
	ng an Original or True Copy with
O NOT FOUND: I certify that I received the within document and diligent search and inquiry, I hereby return that I have	ave been unable to find, the within named respondent,
) (withinCounty.
250 Division	
ADDRESS OF SERVICE STREET K/mm++h Fn/ls	UNIT/APT/SPC# OR, 9760/ STATE ZIP
I further certify that I am a competent person 18 years of age or that I am not a party to nor an efficer, director, or employee of nor corporation served by me is the identical person, firm, or corporation.	r older and a resident of the state of service or the State of Oregon and or attorney for any party, corporation or otherwise, that the person, firm poration named in the action.
1749, 19, 1998 5:58 a.m. D(p.) DATE OF SERVICE TIME OF SERVICE	MO EST FOREMAN SIGNATURE
or not found PRINTED NI OREGON	TEK 212

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Larry Wells, Office Manager, being first duly sworn, despose 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 #1631
TRUSTEE'S
a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for FOUR
(<u>4</u>) insertion(s) in the following issues:AUGUST_28
SEPTEMBER 4/11/18, 1998
4
Total Cost: , \$312.00
Lang of well

Notary Public of Oregon

20_00

OFFICIAL SEAL
DEBRA A GRIBBLE
NOTATIY PUBLIC - OREGON COMMISSION NO. 051091 MY COMMISSION EXPIRES MARCH 15, 2000

Subscribed and sworn before me this, SEPTEMBER

TRISTEL'S NOTICE.

OF OBFAULT AND Interstill persons are a Lection to Sell in addition of the information of the control of th

on secomber 28, 1998 at 10 00 o'clock a.m., hassid on standard of timid less bilished by ORS 382, 116 of 110 north

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON)	
)	SS
County of Klamath)	

THIS IS TO CHRTIFY that I am the Attorney and Trustee for beneficiary in that certain trust deed in which Michael L. Voiles, as grantor, conveyed to Aspen Title & Escrow. Inc. as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated December 19, 1996, and recorded February 14, 1997, in the mortgage records of said county, in book/reel/volume M97, page 4571; thereafter a notice of default with respect to said trust deed was recorded August 19, 1998, in book/reel/volume M98, at page 30439, of said mortgage records; thereafter the said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed was sold at the trustee's sale on December 28, 1998; I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

In construing this certificate the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

William L. Sisemore, Successor Trustee

STATE OF OREGON)
) SS
County of Klamath)

This instrument was acknowledged before me on <u>December 28, 1998</u>, by William L. Sisemore.



Notary Public for Oregon
My Commission Expires: 08/02/99

After recording, return to: William L. Sisemore 110 N. 6th St, #205
Klamath Falls, OR 97601

STATE OF OREGON)
County of Klamath) SS
I certify that the within instrument was received for record on the 28th day of December 1998, at 3:29 o'clock P. M., and recorded in book/reel/volume N98 on page 47373, or as fee/file/instrument/microfilm/reception No. 72151 , of the Mortgage Records of said county.

Name Title

By Kethlun Ross

Fee: \$35.00

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