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'98 DEC 20 P329

Vol. M98 Page 47323

'98 AUG 19 A9:42 '98

Vol. M98 Page 30499

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 & Escrow, 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 3800-33BA 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 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 28, 1998 at 10:00 o'clock a.m. based on standard of time established by ORS 187.110 at 110 North Sixth St., #205, 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 19, 1998.

William L. Sisemore

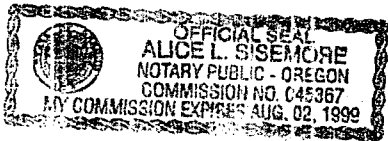
William L. Sisemore, Successor Trustee

STATE OF OREGON, County of Klamath ss

The foregoing was acknowledged before me on August 19, 1998, by William L. Sisemore.

Alice 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

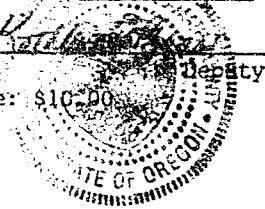
Filed for record on August 19, 1998, at 9:42 o'clock A.m. and recorded in M98 page 30499 or as file/reel/document/instrument number 64792 of mortgages.

Bernetha G. Letsch, Klamath County Clerk, by Kathleen

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

Fee: \$10.00

INDEXED  
D



10/2/98

## 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.O. Box 14506  
 Salem, OR 97309

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

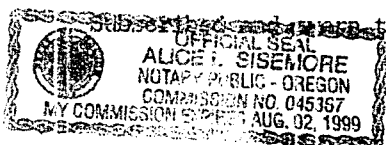
Carter-Jones Collection Services  
 1143 Pine Street  
 Klamath Falls, OR 97601

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 sealed 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.

William L. Sisemore  
 William L. Sisemore



Subscribed and sworn to before me on August 20, 1998.

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  
110 N. 6th Street  
Klamath Falls, OR 97601

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



47375

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. Voiles is/are grantor(s), to Aspen Title & Escrow, Inc., as Trustee, and Bruce E. Brink and Helen Wolter, son and mother, or the survivor, is/are beneficiary(ies), recorded in Mortgage Records of Klamath County, Oregon, Volume M98, page or document no. 30499, certified copy of which is attached hereto.

By Substitute Service on Diler Catterton, a person over the age of 14 years of age who resides at your place of abode on August 19, 1998, at 5:58 o'clock, p.m. at 250 Division, Klamath Falls, OR 97601.

William L. Sisemore  
Attorney for Plaintiff(s)/Trustee

STATE OF OREGON )  
County of Klamath ) SS

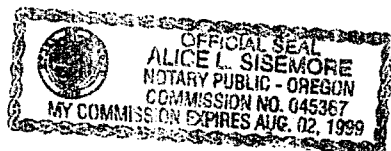
I, William L. Sisemore, certify that I am attorney for Plaintiff; I served a copy of Complaint and Summons together with the above notice of substitute service in a sealed envelope, plainly addressed to:

Michael L. Voiles  
250 Division  
Klamath Falls, OR 97601

with postage fully prepaid, and deposited the same in the U. S. Mail at Klamath Falls, Oregon, on August 25, 1998.

William L. Sisemore  
William L. Sisemore  
Attorney/Trustee for Bruce E. Brink and  
Helen Wolter

Subscribed and Sworn to before me this 25 day of August, 1998.



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

Notice of Substitute Service

WILLIAM L. SISEMORE  
Attorney at Law  
110 North 6th St.  
KLAMATH FALLS, ORE.  
97601  
341/882-7229  
O.E.S. #70133

PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS

47376

STATE OF OREGON  
COUNTY OF Klamath

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 checked="" type="checkbox"/> <u>TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO<br/>SELL AND TRUSTEE'S NOTICE OF SALE</u> |                                    |  |                                   |                                   |

For the within named: Michael L. Voiles And All other occupants

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: D'Lea Catterton at the address below.

☒ SUBSTITUTE SERVICE: By delivering an Original or True Copy to D'Lea Catterton, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Michael L. Voiles

☐ 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, Corporation, Limited Partnership, etc.

to: \_\_\_\_\_ who is a/the \_\_\_\_\_ thereof, or  
(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the office of \_\_\_\_\_, who is a/the \_\_\_\_\_ thereof.

☐ OTHER METHOD: \_\_\_\_\_ By leaving an Original or True Copy with \_\_\_\_\_

☐ NOT FOUND: I certify that I received the within document for service on \_\_\_\_\_ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, \_\_\_\_\_ within \_\_\_\_\_ County.

250 Division  
ADDRESS OF SERVICE STREET UNIT / APT / SPC#  
Klamath Falls OR. 97601  
CITY STATE 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.

Aug. 19, 1998 5:58 a.m. ☐ p.m. ☒ Ed Foreman  
DATE OF SERVICE TIME OF SERVICE SIGNATURE

or not found  
PRINTED IN OREGON

TEK 212



# Affidavit of Publication

## STATE OF OREGON, COUNTY OF KLAMATH

I, Larry Wells, 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 #1631

TRUSTEE'S

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 28

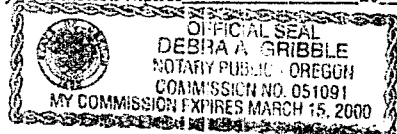
SEPTEMBER 4/11/18, 1998

Total Cost: \$312.00

Subscribed and sworn before me this 18TH  
day of SEPTEMBER 1998

Debra A. Gribble  
Notary Public of Oregon

My commission expires 3-15 2000



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

Interested persons are notified of the right under ORS 86.733 to have this proceeding discontinued and the trust in a Trust Deed where deed reinstated by payment in Michael L. Wells, is more of the entire or sales Aspen Title & amount than due, other, Escrow, Inc. is more than such portion as the said notice. It would not then be due. Bank and Helen Wolf had no default occurred, son and mother, or carried, together with the survivor, is Beneficiaries, Trustee's and attorney, recorded in Or. Torney's fees, and by 11:17 Microfilm during any other de-Records, Vol. M97, page 104, completed of in 45, 1, Klamath County, this Notice, at any time Oregon, covering the prior to five days before following described real property the date last set property in Klamath for sale.

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

DRAFTED: August 19, 1998  
to the City of Klamath, Successor Trustee  
Falls, County of Klamath, State of Oregon. #1631 August 28, 1998  
CODE 1 MAP 3809-336A September 4, 11, 18, 1998  
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 had 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 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 86.725.

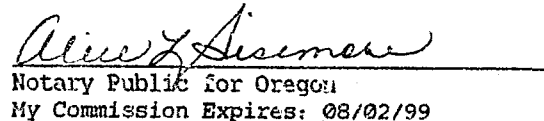
The property will be sold as provided by law on December 28, 1998 at 10:00 o'clock a.m. based on standard of times established by ORS 86.705 to 86.725. Klamath Falls, Klamath County.

CERTIFICATE OF NON-MILITARY SERVICE

THIS IS TO CERTIFY 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 30499, 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.

William L. Sisemore, Successor Trustee

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



STATE OF OREGON           )  
County of Klamath         )   SS

Bernetha G. Letsch, Co. Clerk

Name	Title
------	-------

BY Kathleen Rose  
Deputy

Fee: \$35.00