

**MTC 45947**  
**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Robert C. Sheridan and Barbara J. Kaylor-Sheridan, husband and wife, as grantor, to Aspen Title and Escrow, as trustee, in favor of Norwest Mortgage, Inc., as beneficiary, dated 8/21/97, recorded 8/26/97, in the mortgage records of Klamath County, Oregon, in Vol. M97, Page 27905, covering the following described real property situated in said county and state, to wit:

SEE ATTACHED

PROPERTY ADDRESS: 1851 Old Fort Road  
Klamath Falls, OR 97601

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$1,376.09 beginning 5/1/98; monthly payments of \$1,349.93 beginning 9/1/98, plus late charges of \$61.73 each month beginning 5/16/98; plus prior accrued late charges of \$0.00; plus advances of \$17.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$169,413.53 with interest thereon at the rate of 7.875 percent per annum beginning 4/1/98; plus late charges of \$61.73 each month beginning 5/16/98 until paid; plus prior accrued late charges of \$0.00; plus advances of \$17.50; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on 2/12/99 at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 2nd floor lobby of the Klamath County Courthouse, 317 South 7th Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED

10/19/98



David E. Fennell -- Trustee

For further information, please contact:

Vonnie Nave

**ROUTH CRABTREE & FENNELL**

PO Box 4143

Bellevue, WA 98009-4143

(425) 586-1900

File No. 7023.20742/Sheridan, Robert C. and Kaylor-Sheridan, Barbara J.

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

  
David E. Fennell -- Trustee

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE**

A tract of real property in the W 1/2 of the SE 1/4 of Section 22, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point marked with a one-half inch steel rod, on the Easterly right of way boundary of Old Fort Road, this date existing, which point bears North 32.72 feet and East 207.01 feet from the South one-sixteenth corner of Section 22, Township 38 South, Range 9 East of the Willamette Meridian; thence along said Easterly right of way boundary of Old Fort Road, North 50 degrees 34' East, 96.88 feet and North 23 degrees 00' East, 219.12 feet to a one-half inch iron pipe; thence leaving said right of way boundary, at right angles, bearing South 67 degrees 00' East, 676.63 feet to a one-half inch iron pipe; thence South 18 degrees 09' West, 316.12 feet to a one-half inch iron pipe; thence North 67 degrees 00' West, 735.41 feet to a one-half inch iron pipe on existing fence line; thence continuing North 67 degrees 00' West, 12.78 feet, more or less, to the point of beginning.

# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF WASHINGTON, County of KING) ss:

I, the undersigned, 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 Washington, 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 address, to-wit:

Robert C. Sheridan  
1851 Old Fort Road  
Klamath Falls, OR 97601

Robert C. Sheridan  
521 Pelican Street  
Klamath Falls, OR 97601

Lisette M. LeBourveau, Attorney  
419 Main Street  
Klamath Falls, OR 97601

Richard L. Garbutt, Attorney  
110 North 7th Street  
Klamath Falls, OR 97601

Barbara J. Kaylor-Sheridan  
1851 Old Fort Road  
Klamath Falls, OR 97601

Barbara J. Kaylor-Sheridan  
521 Pelican Street  
Klamath Falls, OR 97601

Barbara J. Kaylor-Sheridan  
423 Pelican 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 DAVID E. FENNELL, attorney for the trustee named in said notice each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Bellevue, Washington, on 10/14/98. 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.

Subscribed and sworn to before me on 10/14, 1998, by Polores San Nicolas

Rebecca A. Baber  
Notary Public for Washington  
Residing at Allyn  
My commission expires: 5/5/99

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

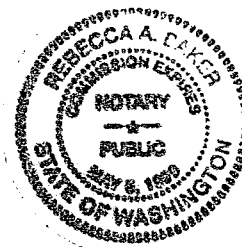
Sheridan, Robert C. and Kaylor-Sheridan, Barbara J.  
Grantor

to  
DAVID E. FENNELL,  
Trustee

File No. 7023.20742

After recording return to:

ROUTH CRABTREE & FENNELL  
Attn: Vannie Nave  
PO Box 4143  
Bellevue, WA 98009-4143





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Beginning at a point marked with a one-half inch steel rod, on the Easterly right of way boundary of Old Fort Road, this date existing, which point bears North 32.72 feet and East 287.01 feet from the South one-sixteenth corner of Section 22, Township 38 South, Range 9 East of the Willamette Meridian; thence along said Easterly right of way boundary of Old Fort Road, North 50 degrees 34' East, 96.88 feet and North 23 degrees 00' East, 229.12 feet to a one-half inch iron pipe; thence leaving said right of way boundary, at right angles, bearing South 67 degrees 00' East, 676.63 feet to a one-half inch iron pipe; thence South 18 degrees 09' West, 316.12 feet to a one-half inch iron pipe; thence North 67 degrees 00' West, 735.41 feet to a one-half inch iron pipe on existing fence line; thence continuing North 67 degrees 00' West, 12.78 feet, more or less, to the point of beginning.



STATE OF OREGON,  
COUNTY OF KLAMATH

LEGAL #1910

TRUSTEE'S NOTICE OF SALE.....

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:

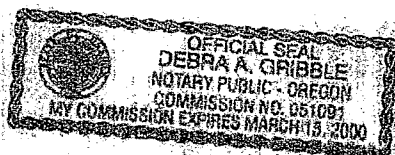
DECEMBER 24/31, 1998

JANUARY 7/14, 1999

Total Cost: \$754.00

Subscribed and sworn before me this 14TH  
day of JANUARY 19 99

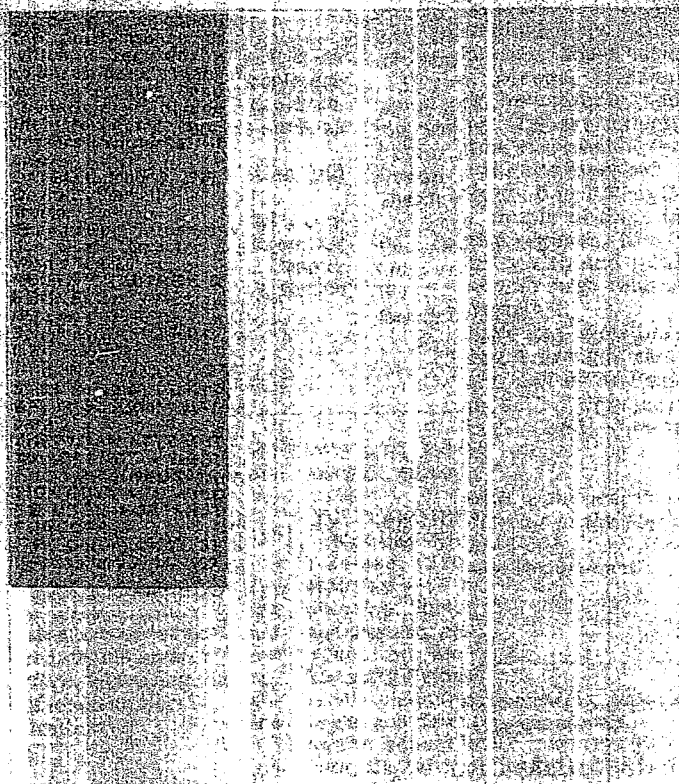
Debra A. Suber  
Notary Public of Oregon

My commission expires 3-15 20 00[illegible]

MORTGAGE RECORD

5031

RECORDED IN THE  
CLERK'S OFFICE OF THE  
COUNTY OF KLAMATH



STATE OF OREGON : COUNTY OF KLAMATH

ss.

Filed for record at request of Amerititle the 11th day  
of February A.D. 1999 at 3:30 o'clock P.M. and duly recorded in Vol. M99  
of Mortgages on Page 5024

Linda Smith, County Clerk

FEE \$45.00

by Kathleen Ross

