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Vol. M11 Page 5024

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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 \$1349.93 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, seil 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 pla	iral, the word "grantor" includes any successor in interest to the
grantor as well as any other person owing an obligation, the pe	informance of which is secured by said trust deed, and the words
"trustee" and "beneficiary" include their respective successors in i	nterest, if any.
DATED	David E. Fennell Trustee

For further information, please contact:

Vonnie Nave ROUTH CRABTHEE & FENNELL PO Box 4143 Bellevue, WA 98069-4143 (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 originar 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 72, Township 30 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Deginning 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, feet from the South, Range 9 East of the Willamette Meridian; Township 38 Scuth, Range 9 East of the Willamette Meridian; thence along said Easterly right of way boundary of Old Fort 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 leaving said right of way boundary, at right angles, bearing South 67 degrees 00 East, 678.63 feet to a one-half inch iron pipe; thence South 18 degrees 99 West, 316.12 feet to a one-half inch iron pipe on existing fence line; 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:

t, the tradesigned, ocing this only sworn, depuse 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-writ:

Robert C. Sheridan 1851 Old Fort Road Klamath Falls, OR 9760!

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

1851 Old Fort Road Klamath Falls, OR 97601

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

Barbara I. Kaylor-Sheridan 423 Pelican Street Klamath Falls, OR 97601

Said persons include (a) the granter in the trust deed, (5) any successor in interest to the granter 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 Klamath Falls, OR 97601

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 36.785. cas appears of record of the periodicitary has actual notice in the near of interest, and (a) any person requesting notice, as required by Ors. 90.703.

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.

such or me nonces so manieu was certified to be a due copy of the original mode of sale by DAVID E. PENNELL, another for the duster name in sale nonce, such continued in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Bellevie, Washington, on the United States post office at Bellevie, Washington, on the United States post office at Bellevie, Washington, on the United States post of the address indicated, and 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

maner and no nonce of usuam and election to sen used noted in said nonce of safe was resolved.

As used before, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity. notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

Subscribed and sworn to before me on 10/14, 1998, by Polores San Alas (4)

Notary Public for Washington

Periding of Manual Anna

My commission expires: 5/5/49

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 Atin: Vonnie Nave PO Box 4143 Bellevue, WA 98009-4143



## AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON	) ) ss.		
County of Klamath	)		

I, Ed Foreman, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 14th day of October, 1998, after personal inspection, I found the tollowing described real property to be unoccupied:

See Anached

Commonly known as:

1851 Old Fort Road

Klamath Falls, Oregon 97601

I declare under the penalty of perjury that the above statements are true and correct.

Ed Foreman

166627

SUBSCRIBED AND SWORN to before me this 15 day of October, 1998.

SANDRA C. MALIKOWSKI
NOTARY PUBLIC - DREGON
COMMISSION NO. A 059033
MY COMMISSION EXPIRES OCT. 31, 2000

Notary Public for Oregon

A tract of real property in the W 1/2 of the SE 1/4 of Section 12. Township 30 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 287.01 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; Township 38 South, Range 9 East of the Willamette Meridian; thence along said Easterly right of way boundary of Old Fort thence along said Easterly right of way boundary of Old Fort Road, North 50 degrees 34° East, 96.68 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 leaving said right of way boundary, at right angles, bearing south 67 degrees 00° East, 675.63 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, one-half inch iron pipe; thence continuing North 67 degrees 90° West, 12.78 feet, more or less, to the point of beginning.

## Affidavit of Publication

## STATE OF OREGON. COUNTY OF KLAMATH

I, Larry L. Wells, Business 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 #1910
TRUSTEE'S NOTICE OF SALF
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: DECEMBER 24/31, 1998
JANUARY 7/14, 1999
Total Cost: \$754.00
Subscribed and sworn before me this 14TH day of JANUARY 19.99
Notary Public of Oregon

The Court of the C



My commission expires\_

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