

2013-011861

Klamath County, Oregon



00143990201300118610020024

10/21/2013 08:39:27 AM

Fee: \$42.00

**RECORDING COVER SHEET**

Document: Affidavit of Publication of Trustee's Notice of Sale  
Trust Deed Grantor: Bruce Marvin Whitmore and Kathleen Ann Whitmore  
Trust Deed Beneficiary: Joel T. Gisler  
Trust Deed Successor Trustee: Jim N. Slothower  
Real Property: Klamath County, Oregon:

**Lot 10 in Block 1 Op Tract 1098 Split Rail Ranchos, according to the  
official plat thereof on file in the office of the County Clerk of Klamath  
County, Oregon**

After Recording Return To: Christopher M. Heaps  
205 NW Franklin Ave  
Bend, OR 97701

**AFFIDAVIT OF PUBLICATION  
STATE OF OREGON,  
COUNTY OF KLAMATH**

I, Linda Culp, Human Resources, being duly sworn, depose and say that I am the principle clerk of the publisher of the Herald and News, a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at 2701 Foothills Blvd, Klamath Falls, OR 97603 in the aforesaid county and state; that I know from my personal knowledge that the Legal#15129 SALE WHITMORE TRUSTEE'S NOTICE OF SALE a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 4

Insertion(s) in the following issues:

09/06/2013 09/13/2013 09/20/2013 09/27/2013 - -

Total Cost: \$1140.14

*Linda Culp*  
Subscribed and sworn by Linda Culp before me on:  
27th day of September in the year of 2013

*Debra A Gribble*  
Notary Public of Oregon  
My commission expires on May 15, 2016



**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain Trust Deed made by Bruce Marvin Whitmore and Kathleen Ann Whitmore, as tenants by the entirety, grantor, to Amerititle, an Oregon corporation, as trustee, in favor of Patrick M. Gisler and Joel T. Gisler, as tenants in common, beneficiary, dated October 11, 2003, and recorded on October 17, 2003, in Volume M03, Page 77503, Klamath County Records, Oregon covering the following described real property (the "Property"), to-wit:

**Lot 10 in Block 1 Op Tract 1098 Split Rail Ranchos, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

The trust deed is security for a Promissory Note executed by the grantor in favor of the beneficiary on or about October 9, 2003 in the principal amount of \$17,500.

By instrument dated January 20, 2009, the beneficiary appointed Jim N. Slothower as successor trustee, with such assignment recorded in the Klamath County Records on February 26, 2009 as Document Number 2009-002955.

After default, on June 1, 2009 the beneficiary executed a new promissory note in favor of the beneficiary secured by the trust deed in the principal amount of \$19,137.54.

By instrument dated October 13, 2009, Patrick M. Gisler assigned all of his beneficial interest under the trust deed to Joel T. Gisler, with such assignment recorded in the Klamath County Records on July 12, 2013 as Document Number 2013-007904.

Both the Beneficiary and the Trustee have elected to sell the real property to satisfy the obligations that the Trust Deed secures and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3). The defaults for which the foreclosure is made include: (1) Failure to pay monthly installments under the promissory note when due; (2) Failure to pay monthly taxes when due; and (3) Allowing attachment of a lien by the Oregon Department of Consumer and Business Services.

By reason of said defaults the Beneficiary has declared all sums owing on the obligation that the Trust Deed secures immediately due and payable, said sums being the following, to-wit: The outstanding balance owing on the promissory note secured by the trust deed of \$18,876.59 through December 31, 2012, together with all interest thereafter accruing at the rate of 8% until paid, title expenses, costs, and trustee's and attorney's fees incurred herein by reason of said default, and any sums advanced by the beneficiary for the protection of the above Property and its interest therein.

WHEREFORE, notice is hereby given that Jim N. Slothower, the undersigned Successor Trustee, will, on **November 27, 2013**, at the hour of **10:00 AM** in accord with the standard of time established by ORS 187.110, at the following place: **205 NW Franklin Avenue, Bend, Deschutes County, Oregon 97701**, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor 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 aft 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 that is not later than five (5) days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by paying Beneficiary 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 in the notice of default that is capable of being cured by tendering the performance required under the obligation that the Trust Deed secures, 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 that the Trust Deed secures, together with the Trustee's and attorney fees not exceeding the amounts provided by ORS 86.753. You may reach the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit its website at: [www.osbar.org](http://www.osbar.org). Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, contact the Oregon State Bar at the phone numbers indicated above or go to <http://www.oregonlawhelp.org>.

Dated: July 15, 2013.

**For further information, please contact:**

**Jim N. Slothower, Successor Trustee**  
**Bend Oregon Lawyers, LLC**  
**205 NW Franklin Ave, Bend, OR 97701, (541) 389-7001**  
**#15129 September 06, 13, 20, 27, 2013**