

2015-000010

Klamath County, Oregon



00163434201500000100030038

01/02/2015 09:45:55 AM

Fee: \$52.00

THIS SPACE RESERVED FOR USE BY
THE COUNTY RECORDING OFFICE

RECORDING COVER SHEET (Please Print or Type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

AFTER RECORDING RETURN TO:

PATRICK J. KELLY, ATTORNEY AT LAW
717 NW 5th Street
GRANTS PASS, OR 97526

1) **TITLE(S) OF THE TRANSACTION(S)** ORS 205.234(a)
Affidavit of Publication

2) **DIRECT PARTY / GRANTORS(S)** ORS 205.125(1)(b) and 205.160
Herald and News
PO Box 788
Klamath Falls, OR 97601

3) **INDIRECT PARTY / GRANTEE(S)** ORS 205.125(1)(a) and 205.160
Clinton E. Bimemiller
PO Box 331
Sprague River, OR 97639

4) **TRUE AND ACTUAL CONSIDERATION**
ORS 93.030(5) - Amount in dollars or other

\$ -0- ☐ Other

5) **SEND TAX STATEMENTS TO:**

No Change

6) **SATISFACTION of ORDER or WARRANT**
ORS 205.125(1)(e)

CHECK ONE: ☐ FULL
(If applicable) ☐ PARTIAL

7) **The amount of the monetary obligation imposed by the order or warrant.** ORS 205.125(1)(c)

\$ -0-

8) **If this instrument is being Re-Recorded, complete the following statement, in accordance with (ORS 205.244: 'RE-RECORDED AT THE REQUEST OF _____, TO CORRECT PREVIOUSLY RECORDED IN BOOK _____ AND PAGE _____, OR AS FEE NUMBER # _____.'**

**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#16042 SALE BIMEMILLER

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:

11/22/2014 11/26/2014 12/03/2014 12/10/2014

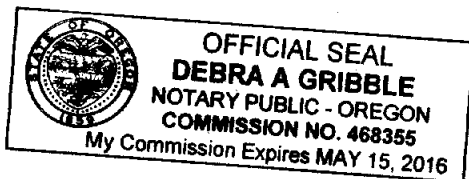
Total Cost: \$1528.40

Linda Culp

Subscribed and sworn by Linda Culp before me on:
10th day of December in the year of 2014

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 Clinton E. Bimemiller, as Grantor, to First American Title, as Trustee, in favor of David E. Prince and Leana M. Prince, Trustees of the David E and Leana M Prince Trust, dated November 15, 2006, PO Box 1228, Grants Pass, OR 97528, as Beneficiary, dated May 3, 2010, recorded on June 16, 2010, in the Official Records of Klamath County, Oregon, in as Document #2010-007359, covering the following described real property situated in that county and state, to-wit:

EXHIBIT "A"

LEGAL DESCRIPTION: REAL PROPERTY IN THE COUNTY OF KLAMATH, STATE OF OREGON, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING WITHIN THE BOUNDS OF THAT TRACT OF LAND RECORDED IN VOLUME M67, PAGE 3540, OF DEED RECORDS OF KLAMATH COUNTY, OREGON, DESCRIBED THEREIN AS BEING LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF ABOVE SAID TRACT OF REAL PROPERTY, WHICH CORNER IS DESCRIBED AS BEING ON THE SOUTH BOUNDARY OF AFORESAID SECTION 28, DISTANCE 2074.11 FEET EAST OF THE SOUTH QUARTER CORNER THEREOF; THENCE NORTH 25° 22' WEST 761.00 FEET ALONG THE WEST BOUNDARY OF AFORESAID TRACT OF REAL PROPERTY TO THE MOST NORTHWESTERLY CORNER THEREOF, BEING LOCATED ON THE SOUTHERLY RIGHT OF WAY BOUNDARY OF THE KLAMATH FALLS-ASHLAND HIGHWAY (ORE 66) THENCE NORTH 67° 02 1/2' EAST ALONG SAID TRACT OF REAL PROPERTY A DISTANCE OF 418 FEET BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 25° 22' EAST ALONG THE EAST BOUNDARY OF SAID TRACT OF REAL PROPERTY A DISTANCE OF 350.00 FEET; THENCE SOUTH 67° 02 1/2' WEST PARALLEL WITH THE AFORESAID SOUTHERLY RIGHT OF WAY OF THE KLAMATH FALLS-ASHLAND HIGHWAY A DISTANCE OF 252.00 FEET; THENCE NORTH 25° 22' WEST 350.00 FEET TO A POINT ON THE AFORESAID HIGHWAY BOUNDARY A DISTANCE OF 252.00 FEET FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 67° 02 1/2' EAST 252.00 FEET ALONG THE SAID BOUNDARY TO THE TRUE POINT OF BEGINNING.

Said real property is commonly known as: 10428, 10432, 10434 and 10432 Highway 66, Klamath Falls, Oregon.

PATRICK J. KELLY, Attorney at Law, OSB #79-2882, is now the Successor Trustee. His office is located at 717 NW Fifth St., Grants Pass, OR 97526. His telephone number is (541) 474-1908.

The beneficiary's interest in said trust deed was assigned to: **NONE**

Both the beneficiary and/or 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 in grantor's failure to pay when due the following sums:

The July 16, 2013 monthly installment in the amount of \$1,153.01 and each month thereafter, plus buyer's fees of \$110.00, plus late charges of \$634.15.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation that the trust deed secures immediately due and payable, those sums being the following, to-wit:

The unpaid principal balance in the amount of \$173,386.43 with interest thereon at 7% per annum from June 28, 2013 until paid, plus late charges of \$634.15,

WHEREFORE, notice is hereby given that on January 2, 2015, at the hour of 11:05 o'clock, am, in accord with the standard of time established by ORS 187.110, at the front steps of Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath State of Oregon, the interest in the real property described above which the grantor had or had power to convey at the time the grantor executed the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed will be sold by the undersigned trustee at public auction to the highest bidder for cash to satisfy the foregoing obligations thereby secured and the costs and expenses of the sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.778 that the right exists under ORS 86.778 to have the proceeding dismissed and the trust deed reinstated by paying the entire amount then due, together with costs, trustee's fees and attorney fees, and by curing any other default complained of in the notice of default, at any time that is not later than five days before the date last set for the sale.

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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

FAIR DEBT COLLECTION PRACTICES ACT NOTICE

Trustee is a debt collector. This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED: AUGUST 25, 2014

/s/ PATRICK J. KELLY, OSB #792882

Attorney at law

727 NW Fifth St., Grants Pass, OR 97526 (541) 474-1908
State of Oregon, County of Josephine)ss.

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

/s/PATRICK J. KELLY Attorney for Trustee

#16042 November 22, 26, December 03, 10, 2014.