

Appeal Tribune

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Previously the Silverton Appeal Tribune & Mt. Angel News

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Letters: 4 p.m. Thursday

Obituaries: 11 a.m. Friday
Display Advertising: 4 p.m.

Wednesday
Legals: 3 p.m. Wednesday

Classifieds: 4 p.m. Friday

News Tips

The Appeal Tribune encourages
suggestions for local stories.

Call the newsroom
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To submit letters to the editor
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PUBLIC NOTICE

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR MARION COUNTY

In the Matter of the Estate of
DR. AMORE aka DONALD LEROY
WHITMORE,

Deceased.

NOTICE TO INTERESTED PERSONS NO. 16PB01158

Notice is hereby given that the undersigned has been appointed personal representative of the above estate. All persons having claims against the estate are required to present the same within four months from this date at the law offices of Cauble, Cauble & Selvig, LLP, 111 SE Sixth Street, Grants Pass, OR 97526; claims not so presented may be barred.

The rights of the heirs and devisees may be affected by this proceeding. Additional information may be obtained from the Court records, the personal representative or the attorneys for the estate.

DATED and first published this 16th day of March, 2016.

Charlene R. Doss

Personal Representative

Silverton Appeal

March 30, and April 6 & 13, 2016

PUBLIC NOTICE

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MARION Probate Department

In the Matter of the Estate
of

SHARON ELAINE SKAGGS,

Deceased.

Case No. 16PB00843

NOTICE TO INTERESTED PERSONS

The Circuit Court of the State of Oregon for the County of Marion, (Probate Department), in No. 16PB00843, has appointed Byron Russell Skaggs, personal representative of the estate of Sharon Elaine Skaggs, Deceased. Within four months after the date of first publication of this notice, all persons having claims against the estate shall present the claims to the personal representative at 10300 SW Greenburg Rd., Ste. 500, Portland, Oregon 97223. Claims not so presented may be barred. All persons whose rights may be affected by the proceeding TAKE NOTICE THAT additional information may be obtained from the records of the court, the personal representative or Brittany A. Marks of MYATT & BELL, P.C., attorney for the personal representative, at 10300 SW Greenburg Rd., Ste. 500, Portland, Oregon, 97223. Dated and first published this 13th day of April, 2016.

Byron Russell Skaggs

Personal Representative

Silverton Appeal April 13, 20, & 27, 2016

PUBLIC NOTICES POLICY

Public Notices are available online at www.StatesmanJournal.com. The Statesman Journal Legal Clerk is available Monday - Friday from 9 a.m. to 5 p.m. You can reach them by phone at 503-399-6789. In order to receive a quote for a public notice you must E-mail your copy to SJLegals@StatesmanJournal.com, and our Legal Clerk will return an ad proof with cost, publication date(s), and a preview of the ad.

LEGAL/PUBLIC NOTICE DEADLINES

All Legals Deadline @ 1:00 p.m. on all days listed below:

***All Deadlines are subject to change when there is a Holiday.

*The Silverton Appeal Tribune is a one day a week
(Wednesday) only publication*

• Wednesday publication deadlines the Wednesday prior

LEGAL/PUBLIC NOTICE RATES

Silverton Appeal Tribune:

• Wednesdays only - \$12.15/per inch/per time

• Online Fee - \$21.00 per time

• Affidavit Fee - \$10.00 per Affidavit requested

THE WEEK AHEAD

THROUGH MAY 2

Lunaria Gallery: "Eye Candy" featuring the work of photographer Rebecca Cozart and artist Robert Fox who works in a variety of media including glass, bronze, fiber, and ceramics, through May 2. Gallery hours: 11 a.m. to 5 p.m. daily, 113 N Water St., Silverton. **Free.** 503-873-7734, Lunariagallery.com.

THROUGH APRIL

Borland Gallery: "Kids Show" features work by young artists from Silver Falls School District, through April. Gallery hours: Noon to 4 p.m. Saturdays and Sundays, 303 Coolidge St., Silverton. **Free.** 503-363-9310, Silvertonarts.org.

White Oak Gallery: Yuji Hiratsuka will exhibit his fine art intaglio prints. Gallery hours: 11 a.m. to 6 p.m. Wednesdays-Sundays, 216 E Main St., Silverton. **Free.** 503-399-9193, Thewhiteoak.info.

THURSDAY

Silverton Zenith Woman's Club Meeting: Members come together to discuss ways to fund and implement projects that benefit the Silverton community, 7 to 9:30 p.m. 801-414-3875, Facebook.com/SilvertonZenith-WomensClub.

FRIDAY

Silvertongues Toastmasters: Develop

speaking skills by organizing your thoughts, thinking on your feet and building confidence in a friendly environment. Guests invited, 7:30 to 8:30 a.m., Silverton Community Seventh-Day Adventist Church, 1159 Oak St., Silverton. 503-873-4198.

SATURDAY

Fourth Annual Silverton Food Fair: Meet local farmers and producers; shop local food and products; support your local economy, 11 a.m. to 3 p.m., Seven Brides Brewing, Back room, 990 N First St., Silverton. 478-919-1487.

Saturday Lunches: Noon to 1:30 p.m., Trinity Lutheran Church, 500 N Second St., Silverton. **Free.** 503-873-2635.

PUBLIC NOTICE

TRUSTEE'S NOTICE OF SALE

Pursuant to ORS 86.705 et seq. and ORS 79.5010, et seq.

Reference is made to that certain trust deed made, executed and delivered by David Rose, as Grantor, to Richard Carnevale and Christine Carnevale, as Trustees, the Trustee's duties of which were assigned to Marcus M. Henderson, attorney at law, OSB. 023241, of ASPELL, HENDERSON & ASSOCIATES, 122 South 5th Street, Klamath Falls, Oregon 97601, (541) 883-7754, to secure certain obligations in favor of Richard Carnevale and Christine Carnevale, as Beneficiaries, of that certain trust deed dated November 6, 2008 and recorded on November 6, 2008, in the mortgage records of Marion County, Oregon, at Reel 3008, Page 283; and said trust deed having been assigned to the current beneficiary, Donna Rose, by Assignment of Trust Deed by Beneficiary dated June 23, 2015, and recorded on July 14, 2015 at Reel 3721, Page 197 of the records of Marion County, Oregon. Said Trust Deed encumbers the following described real property situated in said county and state, to wit:

• Lot 11, Block 16, BELLINGER'S SUBDIVISION of Block No. 16 in Capital Park Addition to Salem, Marion County, Oregon.

The street address or other common designation, if any, of the real property described above is purported to be:

• 420 18th Street SE, Salem, OR 97301.

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said 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 \$690.00, principal and interest, beginning December 6, 2008; together with delinquent taxes, if any, 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; and prepayment penalties/premiums, if applicable.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to wit: \$125,000.00 with interest thereon at the rate of 9% per annum beginning November 6, 2015, plus advances for taxes, insurance or other obligations; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest thereon.

WHEREFORE, notice hereby is given that the undersigned trustee will, on May 27, 2016, at the hour of 10:00 a.m., in accord with the standard of time established by ORS 187.110, in the front entry foyer of the Marion County Circuit Court, 100 High Street NE, City of Salem, County of Marion, State of Oregon, sell at public auction to the highest bidder for cash, the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said 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 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. Notice is also given that any person named in ORS 86.753 has the right to bring a court action to assert the non-existence of a default or any other defense to acceleration and sale.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for May 27, 2016. The date of this sale may be postponed. Unless the lender that is foreclosing on this property is paid before the sale date, the foreclosure will go through and someone new will own this property. After the sale, the new owner is required to provide you with contact information and notice that the sale took place.

The following information applies to you only if you are a bona fide tenant occupying and renting this property as a residential dwelling under a legitimate rental agreement. The information does not apply to you if you own this property or if you are not a bona fide residential tenant.

If the foreclosure sale goes through, the new owner will have the right to require you to move out. Before the new owner can require you to move, the new owner must provide you with written notice that specifies the date by which you must move out. If you do not leave before the move-out date, the new owner can have the sheriff remove you from the property after a court hearing. You will receive notice of the court hearing.

PROTECTION FROM EVICTION

IF YOU ARE A BONA FIDE TENANT OCCUPYING AND RENTING THIS PROPERTY AS A RESIDENTIAL DWELLING, YOU HAVE THE RIGHT TO CONTINUE LIVING IN THIS PROPERTY AFTER THE FORECLOSURE SALE FOR:

· THE REMAINDER OF YOUR FIXED TERM LEASE, IF YOU HAVE A FIXED TERM LEASE; OR
· AT LEAST 30 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE.

If the new owner wants to move in and use this property as a primary residence, the new owner can give you written notice and require you to move out after 30 days, even though you have a fixed term lease with more than 30 days left.

You must be provided with at least 30 days' written notice after the foreclosure sale before you can be required to move.

A bona fide tenant is a residential tenant who is not the borrower (property owner) or a child, spouse or parent of the borrower, and whose rental agreement:

· Is the result of an arm's-length transaction;
· Requires the payment of rent that is not substantially less than fair market rent for the property, unless the rent is reduced or subsidized due to a federal, state or local subsidy; or
· Was entered into prior to the date of the foreclosure sale.

ABOUT YOUR TENANCY BETWEEN NOW AND THE FORECLOSURE SALE: RENT

YOU SHOULD CONTINUE TO PAY RENT TO YOUR LANDLORD UNTIL THE PROPERTY IS SOLD OR UNTIL A COURT TELLS YOU OTHERWISE. IF YOU DO NOT PAY RENT, YOU CAN BE EVICTED. BE SURE TO KEEP PROOF OF PAYMENTS YOU MAKE.

SECURITY DEPOSIT

You may apply your security deposit and any rent you paid in advance against the current rent you owe your landlord as provided in ORS 90.367. To do this, you must notify your landlord in writing that you want to subtract the amount of your security deposit or prepaid rent from your rent payment. You may do this only for the rent you owe your current landlord. If you do this, you must do so before the foreclosure sale. The business or individual who buys this property at the foreclosure sale is not responsible to you for any deposit or prepaid rent you paid to your landlord.

ABOUT YOUR TENANCY AFTER THE FORECLOSURE SALE

The new owner that buys this property at the foreclosure sale may be willing to allow you to stay as a tenant instead of requiring you to move out after 30 days or at the end of your fixed term lease. After the sale, you should receive a written notice informing you that the sale took place and giving you the new owner's name and contact information. You should contact the new owner if you would like to stay. If the new owner accepts rent from you, signs a new residential rental agreement with you or does not notify you in writing within 30 days after the date of the foreclosure sale that you must move out, the new owner becomes your new landlord and must maintain the property. Otherwise:

· You do not owe rent;
· The new owner is not your landlord and is not responsible for maintaining the property on your behalf; and
· You must move out by the date the new owner specifies in a notice to you.

The new owner may offer to pay your moving expenses and any other costs or amounts you and the new owner agree on in exchange for your agreement to leave the premises in less than 30 day or before your fixed term lease expires. You should speak with a lawyer to fully understand your rights before making any decisions regarding your tenancy.

IT IS UNLAWFUL FOR ANY PERSON TO TRY TO FORCE YOU TO LEAVE YOUR DWELLING UNIT WITHOUT FIRST GIVING YOU WRITTEN NOTICE AND GOING TO COURT TO EVICT YOU. FOR MORE INFORMATION ABOUT YOUR RIGHTS, YOU SHOULD CONSULT A LAWYER. If you believe you need legal assistance, contact the Oregon State Bar and ask for the lawyer referral service. Contact Oregon State Bar at: 503-684-3763 or toll-free in Oregon at 800-452-7636. If you do not have enough money to pay a lawyer and are otherwise eligible, you may be able to receive legal assistance for free. For Free Legal Assistance, call Marion-Polk Legal Aid Services (503)581-5265.

Silverton Appeal April 13, 20, & 27 and May 4, 2016