

public notices

TRUSTEE'S NOTICE OF SALE**TRUSTEE'S NOTICE OF SALE**

(Non-Residential Trust Deed)
Reference is made to that certain Trust Deed made, executed, and delivered by Evelio Miranda and Noemi Miranda, husband and wife, as Grantor, to First American Title Insurance Company, an Oregon corporation, as Trustee, with Jarrod F. Howard thereafter appointed as the Successor Trustee, to secure the performance of certain obligations including the payment of the principal sum of \$340,000.00 in favor of John W. Welch and Christine M. Welch, as tenants by the entirety, as Beneficiary. The aforementioned Trust Deed is dated December 12th, 2006, and was recorded on December 13th, 2006, Reel 2747, Page 315, Film Records of the official records of Marion County, State of Oregon, for the following described real property situated in said county, *to-wit*:

See attached Exhibit "A" for legal description (incorporated herein by reference).

The undersigned hereby certifies that no assignments of the Trust Deed by the Trustee or by the Beneficiary, and no appointments of a successor trustee have been made except as recorded in the mortgage records of the county or counties in which the above-described real property is situated, and that the Beneficiary, is the owner and holder of the obligations, the performance of which is secured by said Trust Deed; further, that no action, suit, or proceeding has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action or proceeding has been instituted, such action or proceeding has been dismissed.

Grantor has defaulted under the obligations contained in the Trust Deed, the performance of which is secured by said Trust Deed, with respect to provisions therein which authorize sale

in the event of default of such provision, in that the Grantor failed to pay, when due, the following sums thereon, including monthly payments in the amount of \$2,250.00 due and owing from November 28th, 2013, through April 28th, 2016, with accruing interest thereon, for a total unpaid amount due of \$67,500.00. This is a default under the Trust Deed. Grantor further substantially failed to pay when due the real property taxes due and owing on the property of \$11,627.44, with interest accruing thereon. This is a default under the Trust Deed. Beneficiary paid the sum of \$4,144.97 to Marion County on the unpaid property tax arrearage. Pursuant to the terms of the Trust Deed, this amount is added to the amount secured by the Trust Deed, at the interest rate set forth in the Note. Daily interest is further accruing on that portion of the real property tax arrearage that remains unpaid and owing to Marion County. This property tax arrearage is also past due, owing, and delinquent. Grantor's failures just described are the defaults for which the foreclosure stated below is made.

By reason of said default, the Beneficiary has declared all obligations secured by said Trust Deed immediately due, owing and payable, said sums being the following, to-wit: the sum of \$284,953.72, plus accrued unpaid interest on said \$284,953.72 at the rate of six percent (6%) per annum from November 28th, 2013, until paid; plus reimbursement of property taxes paid by Beneficiary of \$4,144.97; plus unpaid real property taxes to Marion County as provided above; plus the cost of a foreclosure guarantee in the amount of \$938.00; plus attorney and trustee's fees and costs.

Notice hereby is given that the undersigned, by reason of said default, has elected, and hereby does elect, to foreclose said Deed of Trust by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 to 86.809, and to cause to be sold at public auction

to the highest bidder for cash the interest in the said described property which the Grantor had, or had the power to convey at the time of the execution by them of the Trust Deed, together with any interest the Grantor or Grantor's successors in interest acquired after execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed and the expenses of the sale, including a reasonable charge by the Trustee as provided by law, and the reasonable fees of Trustee's attorneys.

Said sale will be held at the hour of 9:30 a.m., Pacific Standard Time, as established by Section 187.110 of Oregon Revised Statutes on the 15th day of September, 2016, at the main entrance of the Marion County Courthouse, at 100 High Street Northeast, in the City of Salem, County of Marion, State of Oregon, which is the hour, date, and place fixed by the Trustee for said sale.

Other than as shown of record, neither the said Beneficiary nor the said Trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the Trustee in the Trust Deed, or any successor in interest to the Grantor or of any lessee or other person in possession of or occupying the property.

Notice is further given that any person named in Section 86.778 of Oregon Revised Statutes has the right, at any time prior to five (5) 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 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 fees not exceeding the amount provided by ORS 86.778.

In construing this Notice and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter, the singular includes the plural; the word "Grantor" includes any successor in interest to the Grantor, as well as each and all other persons owing an obligation, the performance of which is secured by said Trust Deed; the word "Trustee" includes any successor trustee; and the word "Beneficiary" includes any successor in interest of the Beneficiary first named above.

DATED this 10th day of May, 2016.

Jarrod F. Howard,
Attorney at Law
Successor Trustee
Law Office of Jarrod F. Howard
1114 Twelfth Street SE,
Salem, OR 97302
(503) 363-9264

Exhibit "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF Marion, STATE OF OR, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:
BEGINNING AT A POINT ON THE EASTERLY LINE OF THE JOHN MARTIN DONATION LAND CLAIM #71, IN TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, IN MARION COUNTY, OREGON, A DISTANCE OF 45.44 CHAINS SOUTH 9° WEST FROM THE NORTHEAST CORNER OF SAID CLAIM; AND RUNNING THENCE SOUTH 9° WEST ALONG THE EASTERLY LINE OF SAID CLAIM 138 FEET; THENCE NORTH 89° 49' WEST 667.43 FEET; THENCE SOUTH go WEST, PARALLEL WITH THE EASTERLY LINE OF SAID CLAIM 135 FEET, MORE OR LESS, TO THE NORTH LINE OF A TRACT OF LAND CONVEYED TO J. REESE MALLOW, ET UX, BY DEED RECORDED IN VOLUME 367 PAGE 637, DEED RECORDS OF MARION COUNTY, OREGON; THENCE NORTH

89° 49' WEST ALONG THE NORTH LINE OF SAID MALLOW LAND 456.60 FEET, MORE OR LESS, TO THE EAST LINE OF A TRACT OF LAND CONVEYED TO THE EAST LINE OF A TRACT OF LAND CONVEYED TO JOHN W. VEATCH BY DEED RECORDED IN VOLUME 251 PAGE 381, DEED RECORDS OF MARION COUNTY, OREGON; THENCE NORTH 4° 22' EAST ALONG THE EASTERLY LINE OF SAID WATERS LAND 271.7 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JOHN W. VEATCH BY DEED RECORDED IN VOLUME 54 PAGE 464, DEED RECORDS OF MARION COUNTY, OREGON; THENCE SOUTH 89° 45' EAST ALONG THE SOUTHERLY LINE OF SAID VEATCH LAND 1146/06 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO MARION COUNTY FOR ROAD PURPOSES IN WARRANTY DEED RECORDED MARCH 31, 1993 IN REEL 1046 PAGE 480. ALSO EXCEPTING THAT PORTION CONVEYED IN BARGAIN AND SALE DEED RECORDED JULY 7, 1993 IN REEL 1078 PAGE 353.

PARCEL 2:
A TRACT OF LAND LOCATED IN THE JOHN MARTIN DONATION LAND CLAIM NO. 71, IN SECTION 5, TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF MARION AND STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE EASTERLY LINE OF THE JOHN MARTIN DONATION LAND CLAIM NO. 71 IN TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON AT A POINT WHICH IS 3392.04 FEET SOUTH 9° 00' WEST FROM THE NORTHEAST CORNER OF SAID CLAIM, SAID POINT BEING THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO VIRGINIA F. PATTERSON BY DEED RECORDED AUGUST 10, 1965 IN VOLUME 605 AND PAGE 154, IN DEED RECORDS FOR SAID COUNTY AND STATE; THENCE NORTH 89° 45' WEST 340.00 FEET TO A POINT; THENCE NORTH 9° 00' EAST 120.00 FEET; THENCE NORTH 89° 45' WEST 800 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF A TRACT OF LAND DEEDED TO LEWIS R. PATTERSON RECORDED IN VOLUME 604 AND PAGE 475 FOR SAID COUNTY AND STATE; THENCE SOUTH 9° 00' WEST 319 FEET MORE OR LESS TO A POINT; THENCE SOUTH 89° 45' EAST TO A POINT IN THE CENTER OF FLETCHER ROAD; THENCE NORTH 9° 00' EAST TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THAT PARCEL RELEASED BY PARTIAL RECONVEYANCE RECORDED OCTOBER 31, 1984 IN REEL 361 AND PAGE 81, FILM RECORDS DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD IN THE WESTERLY LINE OF CORDON ROAD (CO. RD. NO. 727) SAID IRON ROD BEING 3392.04 FEET SOUTH 09° 00' WEST AND 38.86 FEET NORTH 89° 15' 41" WEST FROM THE NORTHEAST CORNER OF THE JOHN MARTIN DONATION LAND CLAIM NO. 71 IN TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON, SAID IRON ROD BEING ALSO IN THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO R. G. AND V. I. REUST BY DEED RECORDED IN REEL 175 AND PAGE 1984, FILM RECORDS; AND RUNNING THENCE NORTH 89° 15' 41" WEST ALONG SAID SOUTH LINE OF THE REUST TRACT, 301.14 FEET TO AN IRON PIPE AT THE SOUTHWEST CORNER THEREOF; THENCE NORTH 09° 00' EAST ALONG THE WEST LINE OF SAID REUST TRACT, 120.00 FEET TO AN IRON PIPE AT THE NORTHWEST CORNER THEREOF, SAID POINT BEING IN THE NORTH LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO LEWIS R. PATTERSON BY DEED RECORDED IN VOLUME 325 AND PAGE 291, IN DEED RECORDS; THENCE SOUTH 89° 57' 43" WEST ALONG SAID NORTH LINE OF THE PATTERSON TRACT, 152.41 FEET TO AN IRON ROD; THENCE SOUTH 7° 34' 49" WEST 319.32 FEET TO AN IRON ROD IN THE SOUTH LINE OF THE AFORESAID PATTERSON TRACT; THENCE SOUTH 89° 46' 25" EAST ALONG SAID SOUTH LINE OF THE PATTERSON TRACT, 443.49 FEET TO AN IRON ROD IN THE WESTERLY LINE OF THE AFORESAID CORDON ROAD; THENCE NORTH 9° 40' 16" EAST ALONG SAID WESTERLY LINE 198.79 FEET TO THE POINT OF BEGINNING.

5/20, 5/27, 6/3, 6/10

STORAGE AUCTION**PUBLIC NOTICE**

**Warehouse Lien Auction
oral Auction to be held
June 25th At 10:00 A.M.**

**AT
Claxter Road Storage
2688 Claxter Road NE
Salem OR 97301
503-393-4189**

**Units
B-7 David Akins**

**Sold as A Whole Unit
Claxter Road Storage
Reserves the right to refuse
any and all offers.**

6/10

STORAGE AUCTION

**Self-Storage Auction
Turner Road Storage
4555 Turner Rd SE
Salem, Oregon 97317
Saturday, June 25, 2016
@ 10:00 am**

C-16 Josephina Rendon

**Sale Subject To Cancellation
Turner Road Storage
reserves the Right to refuse
any and all bids.**

6/10, 6/17

**Behind the wheel
there is
no such thing
as a small distraction.**

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TRAUMA
ASSOCIATION

AAOS
AMERICAN ACADEMY OF
ORTHOPAEDIC SURGEONS

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