

# public notices

## TRUSTEE'S NOTICE OF SALE

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Deed of Trust, Security Agreement and Assignment of Leases and Rents ("Trust Deed") made by **Oak Lane Farms, Inc. and Wavra Properties, LLC**, collectively as Grantor, **First American Title Insurance Company** as Trustee, **Aaron J. Bell** as Successor Trustee, and **Bank of the West**, as Beneficiary, recorded on November 19, 2012, as Reel No. 3445, Page 175, Official Mortgage Records in the county clerk's office of Marion County, Oregon, covering the real property as described on the attached "Exhibit A".

Grantor is in default and Successor Trustee seeks to foreclose the Trust Deed for failure to pay the balance due. A Notice of Default and Election to Sell has been recorded pursuant to ORS 86.752(4) in Marion County Official Records at Reel No. 3858, Page 312, Instrument No. 2016-00043230, on September 7, 2016. Beneficiary has declared all amounts owing on the obligation secured by the Trust Deed immediately due and payable. The sum owing on the obligations secured by the Trust Deed is: Principal of \$1,414,500.00, plus interest accrued through and including July 11, 2016, in the amount of \$89,464.00, together with interest accruing at \$302.20563 per diem from July 11, 2016, until paid, together with foreclosure guarantee premiums; costs and disbursements; advances to protect Beneficiary's interest in the real property; attorney's fees; and reimbursement for any further amounts advanced by Beneficiary to protect its security interest in the described property.

WHEREFORE, notice hereby is given that the beneficiary and undersigned trustee have elected to sell the property at a 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 by the Trust Deed and to satisfy the cost and expenses of the sale, including the reasonable charge of the Trustee. Notice is further given that for reinstatement or payoff quotes requested pursuant to ORS 86.786 and 86.789 must be timely communicated in a written request that complies with that statute addressed to the undersigned trustee, either by personal delivery to the trustee's physical offices, or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. **The sale shall be held on Monday, January 23, 2017, at 10:00 a.m. in accord with the standard of time established by ORS 187.110, at The Main Entrance of the Marion County Courthouse, 100 High Street, City of Salem, County of Marion, Oregon.**

Take further notice that the right exists under ORS 86.778, 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, or the Beneficiary's successor in interest, 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 fees and attorney's fees not exceeding the amounts provided by

said ORS 86.778. Requests for persons named in ORS 86.778 for reinstatement quotes received less than six (6) days prior to the date set for the trustee's sale will be honored at the discretion of the beneficiary or if required by the terms of the loan documents.

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

### THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

### FOR FURTHER INFORMATION CONTACT:

Aaron J. Bell  
Bell Law Firm, P.C.  
P.O. Box 1547  
Wilsonville, OR 97070  
Phone: (503) 682-8840;  
Fax (503) 682-9895

DATED this 13th day of September, 2016.

BELL LAW FIRM, P.C.  
Aaron J. Bell,  
OSB No. 871649  
Successor Trustee

### EXHIBIT A

File No.: 7089-2593791  
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF Marion, STATE OF OR, AND IS DESCRIBED AS FOLLOWS:

Parcel 1:  
Tract 1:  
Beginning at a point on the North right-of-way line of Silver Creek Falls Highway (State Highway 214) which is South 89°14'25" East 2032.70 feet, North 89°51'19" East 72.79 feet and North 00°34'47" East 25.00 feet from the Southwest corner of the Sally Goodman Donation Land Claim No. 42 and being in Section 14, Township 8 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; thence North 00°34'47" East 269.17 feet; thence North 89°51'19" East 322.84 feet to the West line of that tract of land described in Reel 1592, Page 792, Marion County Record; thence South 00°13'46" West 269.17 feet along said West line to the North line of Silver Creek Falls Highway; thence South 89°51'19" West 324.49 feet along said North line to the point of beginning.

Tract 2:  
That portion of the following lying Easterly of the North Santiam Highway; Beginning at the Southwest corner of the D.L.C. of Sally Goodman in Township 8 South, Range 2 West of the Willamette Meridian, in Marion County and State of Oregon; thence North 19.71 chains to the most Easterly Northeast corner of the D.L.C. of Charles Craft and wife, which is a stone; thence North 89°41' West 41.21 chains to the middle of the County Road leading from Salem to Aumsville, which is an iron pipe; thence South 39°39' East 32.67 chains, along the middle of said County Road, said point is marked with a stone; thence North 75°37' East 20.96 chains, to the place of beginning.

SAVE AND EXCEPT that portion of the following, lying Easterly of the North Santiam Highway; a strip of land 20.0 feet in width extending from the Easterly line of the old Aumsville-Santiam Highway to the Westerly line of the North Santiam Highway, the North line of which strip is the North line of Charles Craft Donation Land Claim in Section 15, Township 8 South, Range 2 West of the Willamette Meridian, Marion County, Oregon. ALSO SAVE AND EXCEPT that portion conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded July 1, 1958 in Volume 513, Page 225, Deed Records for Marion County, Oregon.

Parcel 2:  
Beginning at the most Southerly Southeast corner of the Rudolph C. Gibson Donation Land Claim No. 54 in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence South 88°52' West 813.12 feet along the center of the County Road; thence South 89°58' West along said center line 464.00 feet; thence North 2°30' West 2083.49 feet; thence North

87°29' West 1542.76 feet to a point on the East line of a tract of land conveyed to Henry Humpert by deed recorded in Volume 163, page 456, Deed Records for said County and State; thence North 0°04' West along the East line of said Humpert Tract, 744.0 feet to a point on the North line of a tract of land conveyed to Frank Aman, by Deed recorded in Volume 180, page 430, Deed Records for said County and State; thence South 87°20' East along the North line of said Frank Aman Tract 3105.96 feet to the Northwest corner of a tract of land conveyed to Joe Hamel by Deed recorded in Volume 254, page 49, Deed Records for said County and State; thence South 4°30' West along the West line of said Hamel Tract 1023.95 feet to the Southwest corner thereof; thence South 73°45' East 10.80 feet to the Northwest corner of the Samuel Allen Donation Land Claim; thence South 4°30' West 1710.98 feet: to the place of beginning.

TOGETHER WITH that area beginning at the Northwest corner of that land described in Reel 1161, Page 426, Marion County Deed Records; thence South 87°50'01" East along the North line of said reel and page, a distance of 1,542.67 feet to an iron rod; thence South 02°29'11" East 26.11 feet; thence North 87°10'10" West, 1,544.58 feet to the West line of said Reel and Page; thence North 00°04'12" West along said West line, a distance of 8.12 feet to the point of beginning.

SAVE AND EXCEPT that area beginning at a point on the South line of the R. Gibson Donation Land Claim No. 54 in Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, said point being 813.12 feet South 88°52' West and 464.00 feet South 89°58' West from the most Southerly Southeast corner of said claim, said point also being the Southeast corner of the land described in Reel 1161, Page 426, Marion County Deed Records; thence North 02°29'11" West, along the East line of said Reel 1161, Page 426, 2,057.41 feet; thence South 87°10'10" East 77.55 feet

to an iron rod; thence South 00°50'27" East 903.60 feet to an iron rod; thence south 00°07'28" East 1,054.26 feet to an iron rod; thence South 02°17'26" West 93.96 feet to the point of beginning.

Parcel 3:  
Tract 1:  
Beginning at the most Southerly Southeast corner of the Donation Land Claim of Chisholm Griffith and wife in Township 7 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence South 1°30' West, 47.24 chains along the West line of the Theophilus Powell Donation Land Claim; thence East 16.67 chains; thence North 65.00 chains to the North line of the Donation Land Claim of Theophilus Powell aforesaid; thence North 89°30' West, 5.46 chains to the most Easterly Southeast corner of the said Donation Land Claim of Chisholm Griffith and wife; thence West 9.71 chains to the Northwest corner of the Donation Land Claim of Theophilus Powell aforesaid; thence South 1° West 17.55 chains to the place of beginning.

SAVE AND EXCEPT: All that portion of the above described premises lying North of the State Street, Market Road No. 22.

Tract 2:  
Beginning at the Southwest corner of the Donation Land Claim of Theophilus Powell and wife, in Township 7 and 8 South, Range 1 West of the Willamette Meridian in Marion County, State of Oregon;

thence South 89°30' East 31.90 chains to the Southeast corner of the J. W. Short land; thence North 0°15' West 35.46 chains; thence West 31.47 chains to the West line of the Powell claim; thence South 1°30' West 35.30 chains to the place of beginning.

Also, Beginning at the Northeast corner of the Donation Land Claim of Reuben Dickens and wife, Township 8 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence North 63° West, 65.00 chains along the North line of said claim; thence South 78° East 26.82 chains to the Southwest corner of the Theophilus Powell claim; thence South 89°30' East, 38.45 chains to the Northwest corner of the William T. Patton Donation Land Claim; thence South 16° West 24.48 chains to the place of beginning, all situate in Marion County, State of Oregon.

12/2, 12/9, 12/16, 12/23

## NOTICE TO INTERESTED PERSONS

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

No. 16PB06285  
NOTICE TO INTERESTED PERSONS  
In the Matter of the Estate of  
DONNA MAE KIMBALL  
Deceased.

NOTICE IS HEREBY GIVEN that Warren F. Kimball has been appointed Personal Representative. All persons having claims against the estate are required to present them, with proper vouchers, to the Personal Representative by directing said claims to Warren F. Kimball c/o Mary L. Sterling, Sterling Law Office, LLC, 1114 12th Street SE, Salem, Oregon 97302, within four months after the date of first publication of this notice, or the claims may be barred.

All persons whose rights may be affected by the proceedings may obtain additional information from the records of the court, the Personal Representative, or the attorney for the Personal Representative.

Dated this 16th day of November, 2016.

Dated and first published on November 25, 2016.

Mary L. Sterling,  
OSB #071771  
Attorney for Personal Representative

PERSONAL REPRESENTATIVE  
Warren F. Kimball  
3918A Justice Ct  
APG, MD 21005

ATTORNEY FOR PERSONAL REPRESENTATIVE  
Mary L. Sterling,  
OSB #071771  
1114 12th St SE  
Salem, OR 97302  
Phone: (503) 581-6432  
mary@sterlingattorney.com

11/25, 12/2, 12/9

## puzzle answers

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## VETERANS FOUGHT FOR OUR WAY OF LIFE. IT'S OUR DUTY TO FIGHT FOR THEIRS.

America's 22 million veterans should get what they were promised. DAV helps veterans of all ages and their families get the health, disability and financial benefits they earned. And we connect them to vital services like claims assistance, medical transportation and job resources. If you're a veteran who needs free help, or you'd like to help us keep the promise, visit [DAV.org](http://DAV.org).

