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101 Legal Notices

AB7564

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

In the Matter of the Estate of Norma Yvonne Starr Comins, Deceased.

Case No. 19PB09064
 NOTICE TO INTERESTED PERSONS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative. All persons having claims against the estate are required to present them, with vouchers attached, to the undersigned personal representative at PO Box 145, Astoria, OR 97103, 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 lawyers for the personal representative, Heather Reynolds. Dated and first published on December 7th, 2019.

PERSONAL REPRESENTATIVE:
 Charissa D. Wisler
 10 Skyline Place
 Astoria, OR 97103

ATTORNEY FOR PERSONAL REPRESENTATIVE:
 Heather Reynolds, OSB #813487
 PO Box 145, Astoria, OR 97103
 503.325.8449
 Heather@ReynoldsAttorney.com
Published: December 7th, 14th, and 21st, 2019.

101 Legal Notices

AB7576

CITY OF ASTORIA
 PUBLIC NOTICE

Notice is hereby given that the Astoria Community Development Department has received the following request:

1. Variance Request (V19-14) by Cheryl Johnson from the minimum 20-foot front yard setback to allow for a new structure at 489 Hamburg Avenue, (Map T8N R10W, Section 13AA, Tax Lot 7302; Lot 3, Block 27, Taylors) in the R-3 (High Density Residential) Zone. Development Code Standards 2.150- 2.185, Articles 9 and 12 are applicable to the request.

In accordance with Astoria Development Code Sections 3.095, 13.310 and Articles 6, 9, and 12, a decision on the request will be processed administratively by the Community Development Department. For information, write the Community Development Department, 1095 Duane St., Astoria, OR 97103, or call 503-338-5183. The Community Development Director reserves the right to modify the proposal, no further public notice will be provided. Materials pertinent to the request(s) are available for review at the Community Development Department, City Hall, 1095 Duane Street, Astoria, or may be obtained by calling 503-338-5183. All interested parties are invited to express their opinion for or against the request by letter addressed to the Community Development Dept., 1095 Duane St., Astoria, OR 97103. Comments from interested parties must be received within 15 days of the date this notice is published. Only those parties who comment in writing on the proposed development will receive first class mailed notice of the decision on the permit.

THE CITY OF ASTORIA
 Tiffany Taylor
 Administrative Assistant
 "PUBLISHED: Dec 21, 2019"

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AB7575

CITY OF ASTORIA
 NOTICE OF PUBLIC HEARING

The City of Astoria Design Review Commission will hold a public hearing on Thursday, January 2, 2020 at 5:30 p.m., at Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to correct a procedural error for the following request(s):

1. Design Review Request (DR19-04) by Richard and Candace White to construct a two story, 2,420 square foot single family residence at 230 23rd Street (Map T8N R9W Section 9CB WM, Tax Lots 6816 and 6817, Mill Pond Village III, lots 11 and 12) within the Gateway Area in the AH-MP, Attached Housing-Mill Pond Zone and within the Gateway/Civic Greenway Overlay Zone. Development Code Standards specified in Sections 14.005-14.030, 14.300-14.340, and Article 9 are applicable to the request.

2. Design Review Request (DR19-05) by Tom and Jada Scott to construct a two-story single family residence with an attached garage at 245 29th Street (Map T8N R9W Section 9CB WM, Tax Lot 6854, Mill Pond Village 3, Lot 56), within the AH-MP (Attached Housing-Mill Pond) Zone and within the Gateway/Civic Greenway Overlay Zones. Development Code Standards specified in Sections 14.005-14.030, 14.300-14.340, and Article 9 are applicable to the request.

For information, call or write the Community Development Department, 1095 Duane St., Astoria OR 97103, phone 503-338-5183. The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department 48 hours prior to the meeting at 503-338-5183. The Astoria Design Review Commission reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

THE CITY OF ASTORIA
 Tiffany Taylor
 Administrative Assistant
 "PUBLISHED: Dec 21, 2019 "

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AB7561

TRUSTEE'S NOTICE OF SALE

PLEASE TAKE NOTICE that the foregoing instrument shall constitute notice, pursuant to ORS 86.764, that the Grantor of the Line of Credit Instrument/Deed of Trust described below has defaulted on its obligations to beneficiary, and that the Beneficiary and Successor Trustee under the Line of Credit Instrument/Deed of Trust have elected to sell the property secured by the Trust Deed: DEED OF TRUST AND PROPERTY DESCRIPTION: This instrument makes reference to that certain Line of Credit Instrument/Deed of Trust dated February 27, 2018, and recorded March 5, 2018, as Instrument No. 201801627, in the Official Records of Clatsop County, Oregon wherein NATHAN A. JOHNSON AND MARISSA S. JOHNSON, husband and wife, are the Grantor, TICOR TITLE INSURANCE is the original Trustee, and BANK OF THE PACIFIC is the Beneficiary. The aforementioned Deed of Trust covers property (the "Property") described as: All of Lot 3, Block 1, MATIERS ADDITION TO WARRENTON, in the City of Warrenton, County of Clatsop, State of Oregon. AND: That portion of Lot 4, Block 1, MATIERS ADDITION TO WARRENTON, in the City of Warrenton, County of Clatsop, State of Oregon, more particularly described as follows: Beginning at the Southwest corner of said Lot 4; thence along the South line of said Lot 4, North 90° 00' 00" East 109.69 feet to the Southeast corner thereof; thence along the East line of Lot 4, North 01° 19' 58" East 25.00 feet to a 5/8" iron rod with yellow plastic cap stamped "CKI OR LS2829 WA LS40519"; thence North 90° 00' 00" West 110.30 feet to a 5/8" iron rod with yellow plastic cap stamped "CKI OR LS2829 WA LS40519" on the West line of said Lot 4; thence along the West line of said property South 00° 04' 31" East 25.00 feet to the point of beginning, all being situated in the Southeast quarter of Section 21, Township 8 North, Range 10 West, Willamette Meridian. The undersigned hereby certifies that he has no knowledge of any assignments of the Deed of Trust by the Trustee or by the Beneficiary or any appointments of a Successor Trustee other than the appointment of DAVID W. CRISWELL, ESQ., as Successor Trustee as recorded in the property records of the county in which the Property described above is situated. Further, the undersigned certifies that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the Deed of Trust. Or, if such action has been instituted, it has been dismissed except as permitted by ORS 86.752(7). The name and address of the Successor Trustee is as follows: David W. Criswell, Successor Trustee, Lane Powell PC, 601 SW Second Avenue, Suite 2100 Portland, OR 97204. The Deed of Trust is not a "Residential Trust Deed", as defined in ORS 86.705(6), thus the requirements of Chapter 304 [S.B. 558], Oregon Laws 2013, Chapter 112 [S.B. 1552], Section 4a, Oregon Laws 2012, and ORS 86.771(10) do not apply. DEFAULT BY GRANTORS: There are continuing and uncured defaults by Nathan O. Johnson and Marissa S. Johnson (the "Borrowers") that, based on the provisions of the Deed of Trust and the written documents for Loan No. 460073103, including the promissory note dated and effective as of February 27, 2018, as modified by that certain Change in Terms Agreement dated as of January 28, 2019 (the "Note"), authorize the foreclosure of the Deed of Trust and the sale of the Property described above, which uncured and continuing defaults include but are not necessarily limited to the following: 1. Borrowers' failure to pay to Beneficiary the Note indebtedness by the maturity date on May 27, 2019. As of September 16, 2019, the outstanding principal balance on the Note is \$236,531.01. Interest due as of (i.e., through and including) September 16, 2019, is in the amount of \$9,470.08 and continues to accrue at the default rate of 18.0% per annum or \$118,2655 per diem. In addition, there are \$500.00 in late charges and \$2,845.47 in fees owing to Beneficiary on account of the Borrowers' continuing defaults. The total due as of September 16, 2019, is not less than \$249,346.56, and is now due and payable along with all costs and fees associated with this foreclosure. 2. Additional defaults include Grantor's: (i) unpaid property taxes due to the City of Warrenton for the year 2018/2019 in the amount of \$459.04 (plus interest); and (ii) allowing City of Warrenton liens for unpaid utilities to attach to the Property in the amounts of \$135.36 and \$130.46. TOTAL UNCURED MONETARY (PAYMENT) DEFAULT: By reason of said uncured and continuing defaults, the Beneficiary has accelerated and declared all sums owing on the obligation secured by the Deed of Trust and the Property immediately due and payable. The sums due and payable being the following: Unpaid principal amount due and owing under the Note as of September 16, 2019/ \$236,531.01; Accrued and unpaid interest owing under the Note as of September 16, 2019 (including default interest from July 8, 2019, at the default rate of 18% per annum) \$9,470.08; Late charges as of September 16, 2019/ \$500.00; Fees and costs as of September 16, 2019/ \$2,845.47; TOTAL DUE: \$249,346.56. Accordingly, the sum owing on the obligation secured by the Deed of Trust is \$249,346.56 as of September 16, 2019, together with default interest accruing on the principal portion of that amount, plus additional costs and expenses incurred by Beneficiary and/or the Successor Trustee (including their respective attorney's fees, costs, and expenses). ELECTION TO SELL: Notice is hereby given that the Beneficiary, by reason of the uncured and continuing defaults described above, has elected and does hereby elect to foreclose said Deed of Trust by advertisement and sale pursuant to ORS 86.752 et seq., and to cause to be sold at public auction to the highest bidder for cash, the Grantor's interest in the subject Property, which the Grantor had, or had the power to convey, at the time the Grantor executed the Deed of Trust in favor of the Beneficiary, along with any interest the Grantor or the Grantor's successors in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust as well as the expenses of the sale, including compensation of the Trustee as provided by law, and the reasonable fees of Trustee's attorneys. PLEASE TAKE NOTICE that the sale will be held at the hour of 11:00 a.m., in accordance with the standard of time established by ORS 187.110, on February 14, 2020, on the front steps of the main entrance to the Clatsop County Courthouse, at 743 Commercial Street, Astoria, OR 97103. RIGHT OF REINSTATEMENT: Notice is further given that any person named in ORS 86.778 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 Deed of Trust satisfied by (A) 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, together with the costs and expenses actually incurred in enforcing the terms of the obligation, as well as Successor Trustee and attorney fees as prescribed by ORS 86.778; and (B) by curing all such other continuing and uncured defaults as noted in this Notice. NOTICE REQUIRED UNDER ORS 86.771(9): Without limiting the Successor Trustee's disclaimer of representations or warranties, Oregon law requires the Successor Trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's sale. DATED: October 2, 2019. By: David W. Criswell, OSB 925930, Successor Trustee, Lane Powell PC, 601 SW Second Avenue, Suite 2100, Portland, OR 97204. Telephone: (503) 778-2100. Facsimile: (503) 778-2200. Email: CriswellD@LanePowell.com.
Published: December 7th, 14th, 21st, and 28th, 2019.