# POLICE REPORT

Information for the police report comes from law enforcement agencies. Not all calls for service are included. The status of incidents reported may change after further investigation. Individuals arrested or suspected of crimes are considered innocent until proven guilty.

### DALLAS

Arrests/Citations · Jimmie L. Custer, 56, of Dallas in the 100 block of East Ellendale Avenue on July 20 on a charge of failure to perform the duties of a driver when property is damaged.

· Dennis C. Weltz Jr., 58, of Dallas in the 600 block of Main Street on Friday on a parole violation.

• Paul E. Bunyard, 62, on 800 block of Main Street on Saturday on charges of second-degree criminal trespassing and second-degree disorderly conduct.

### INDEPENDENCE

Arrests/Citations • Exie Dee Farm, 56, of Monmouth, at the intersection of South Main and C streets on July 22 for driving under the influence of intoxicants, reckless driving and refusal of test for

intoxicants. • Andrew E. Weber, 20, of Independence, in the 0-99 block of Ash Street on July 23 for furnishing or providing a place or giving liquor to a minor or in-

toxicated person. • On July 23 in the 100 block of South Fourth Street, the following were at a house party and cited for minor in possession of alcohol: Tevin M. Cadola, 20, of Yreka, Calif., Tyler

Keith Currie, 19, of Monmouth, and Michael E. Scholer, 20, of Yreka. · Jose Luis Flores Romero, 18,

of Independence, in the 1500 block of Monmouth Street on July 24 for driving under the influence of intoxicants, fleeing or attempting to elude a police officer, and minor in possession of alcohol while operating a motor vehicle.

• Kendall Ray Hogg, 56, of Independence, at the intersection of Gun Club Road and Picture Street on July 28 for having a dog as a public nuisance.

MONMOUTH Arrests/Citations

· Alyssa Marie McGlaughlin, 27, of Monmouth, in the 100

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block of Catron Street South on July 20 for first-degree criminal mistreatment - family other, and first-degree theft.

• Kalee Nichole Berg, 22, of Bend, at the intersection of Main Street West and Monmouth Avenue North on July 22 for driving under the influence of intoxicants. Blood-alcohol level: 0.14.

Salem, in the 1500 block of Monmouth Street on July 24 for driving under the influence of intoxicants.

Monmouth, in the 100 block of Gwinn Street West on July 25 for second-degree theft - bicycle, and second-degree criminal mischief - criminal damage.

· Jordan Thomas Mesdag, 20, of Monmouth, in the 300 block of Park Place South on July 27 for second-degree criminal mischief and second-degree criminal trespass.

Advocate for policies and legislation that

Medicaid, Medicare, long term

senior nutrition and health, and

Inspire change to programs that serve the

Network with other senior leaders

services and supports, elder abuse,

Work on issues related to

# **Plans develop for eclipse 2017**

"This will be the first total

# **By Emily Mentzer**

The Itemizer-Observer

POLK COUNTY - It's more than a year away, but everyone from hoteliers to campground hosts, wineries to chambers of commerce and city halls are getting ready for the total solar eclipse on Aug. 21, 2017.

The entire county will be in the path of totality, which stretches about 63 miles wide.

solar eclipse seen in the U.S. in 26 years, and the first seen in the contiguous U.S. in 38 years," said Dave Clark, of NationalEclipse.com. "It will also be the first total eclipse to travel across the U.S. from coast to coast since 1918, and the first total eclipse seen only in the U.S. since the nation's founding in 1776."

Hotels have been sold out for years for the weekend, and wineries are planning special campouts in their vinevards.

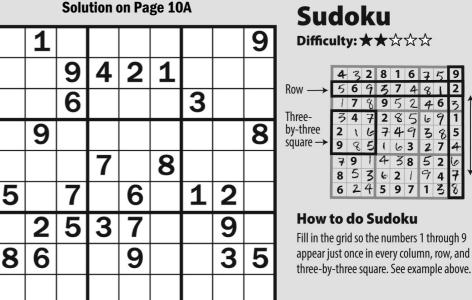
Between now and Aug. 21, 2017, the Itemizer-Observer will feature more stories about the eclipse and how the county is preparing for the event and influx of visitors.

What are your plans for the eclipse? Are you hosting an event? Let us know at ionews.com.

Column

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By Ben Arnoldy

ment proposes to approve the

Any person may file, jointly (503) 986-0807 to obtain addiform. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

(Aug. 3, 10, 2016)

(July 20, 27; Aug. 3, 2016)

TRUSTEE'S NOTICE OF SALE Reference is made to that certain trust deed made by THOMAS J. PHILLIPS AND MARILYN V. PHILLIPS, AS TEN-ANTS BY THE ENTIRETY, THEIR HEIRS, SUCCESSORS, AND ASSIGNS as grantor, to FIDELITY NATIONAL TITLE INS CO as trustee, in favor of WELLS FARGO BANK, N.A. as beneficiary, dated October 30, 2009, recorded November 6, 2009, in the mortgage records of Polk County, Oregon, as Document No. 2009-012863, and assigned to WILMINGTON SAVINGŠ FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUI-SITION TRUST on May 10, 2016 in the records of Polk County, Oregon, as Document No. 2016-004867, covering the following described real property situated in said county and state, to wit: THE FOLLOWING DE-SCRIBED PROPERTY: PAR-CEL 3 OF PARTITION PLAT 1999-0025, FILED SEPTEM-BER 13, 1999, IN VOLUME 1999, PAGE 0025, BOOK OF PARTITION PLATS FOR POLK COUNTY, STATE OF OREGON. AS FEE NO. 473049 TOGETH-ER WITH AN EASEMENT FOR **INGRESS, EGRESS AND UTIL-**ITIES AS SET FORTH ON SAID PARTITION PLAT VOLUME 1999, PAGE 0025.

er 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 property and its interest therein; and prepayment penalties/premiums, if applicable.

The Christian Science Monito

WHEREFORE, notice is hereby given that the undersigned trustee will on November 8, 2016, at the hour of 11:00 AM, in accord with the standard of time established by ORS 187.110, at Polk County Courthouse Main Entrance, 850 Main Street, Dallas, OR 97338, in the City of Dallas, County of Polk, State of Oregon, sell at public auction to the highest bidder for cash the interest in the real property described above, 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 and the costs and expenses of the sale, including reasonable charges by the trustee. Notice is further given that any person named in ORS 86.778 has the right, at any time that is not later than 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 principle as would not then be due had no default occurred) and by curing any other default com-plained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying those 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 and attorney fees not exceeding the amounts provided by ORS 86.778. Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the 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 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 anv.

## PUBLIC NOTICES IN THE CIRCUIT COURT OF

THE STATE OF OREGON IN AND FOR THE COUNTY OF POLK

Federal National Mortgage Association ("Fannie Mae"), Plaintiff,

vs. LARRY R. DUDDLES II, INDIVIDUALLY AND AS CONSTRUCTIVE TRUSTEE OF THE ESTATE OF LARRY R DUDDLES; UNKNOWN HEIRS OF LARRY R. DUDDLES; WESTVIEW ESTATES HOMEOWNERS ASSOCIATION; CAPITAL ONE BANK (USA), N.A.; PARTIES IN POSSESSION Defendants.

No. 16CV02094 **CIVIL SUMMONS** TO THE DEFENDANTS: Unknown Heirs of Larry R. Duddles

NOTICE TO DEFENDANT: **READ THESE PAPERS** CAREFULLY!

A lawsuit has been started against you in the above-entitled Court by Federal National Mortgage Association ("Fan-nie Mae"), Plaintiff. Plaintiff's claim is stated in the written Complaint, a copy of which is on file at the Polk County Courthouse. You must "ap pear" in this case or the other side will win automatically. To "appear" vou must file with the court a legal paper called a

answer." The "motion" or

sioners will hold public hearings to consider the following: APPLICANT:

TearDrops NW and Andrew W. Sprauer (Applicant's representative) OWNER: Jane B. Allm, Trustee

**TYPE OF APPLICATIONS:** 1. Comprehensive Plan Map Amendment: to change the Comprehensive Plan Designation of the 0.7 acre property from Unincorporated Community Commercial to Unincorporated Community Industrial.

2. Zoning Map Amendment: to change the zoning of the 0.7 acre property from Eola Unincorporated Community Commercial to Eola Unincorporated Community Industrial Commercial.

**PROPERTY LOCATION:** 52nd Avenue NW Salem, Oregon (Assessment Map T7S, R4W, Section 26A, Tax Lots 2400 & 2500). FILE NUMBERS:

PA 15-02 & ZC 15-01

**REVIEW AND DECISION** CRITERIA: Polk County Zoning Ordinance (PCZO) Sections 111.160, 111.275 115.050, Oregon Statewide Planning Goals HEARING DATES AND

TIMES: Hearings Officer Hearing: August 30, 2016 at 6:00

Board of Commissioners Hearing: October 12, 2016 at 9:00 AM

the Polk County Sheriff's Of-fice, located at 850 Main St. Dallas, OR. 97338, the defendant's interest will be sold, subject to redemption, in the real property located at 240 Monmouth St. Independence, OR. 97351. The court case number is 15CV08323, where CITY OF INDEPENDENCE, an **Oregon Municipal Corporation** is plaintiff, and 2BWORTHY LLC, a Colorado Limited Lia-bility Company; JULIE CRESS-ER, dba Family Treasures Market Place; and ALL OCCU-PANTS OF REAL PROPERTY COMMONLY KNOWN AS 240 MONMOUTH STREET IN THE CITY OF INDEPENDENCE. OREGON is defendant. The sale is a public auction to the highest bidder for cash or cashier's check, in hand, made out to Polk County Sheriff's Office. For more information on this sale go to: http://ore-gonsheriffssales.org/

(Aug. 3, 10, 17, 24, 2016)

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF POLK PROBATE DEPARTMENT

In the Matter of the Estate of JANET ANN NOAKES.

Deceased.

Case No. 16PB04752

On 09-02-16 at 10:00 a.m. at

IN THE CIRCUIT COURT OF

In the Matter of the Estate of: JOHN DELBERT GRAY,

CASE NO. 16PB03392 NOTICE TO INTERESTED

NOTICE IS HEREBY GIVEN notice, or the claims may be

transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000. or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, August 10, 2016. Call tional information or a protest

97308. Claims against the trust estate may be barred unless presented to the trustee at the address specified above within four months after the date of first publication of this notice. All persons whose rights

against the Settlor are re-

quired to present them to the

Trustee at: Pioneer Trust Bank,

N.A., P.O. Box 2305, Salem, OR

may be affected by the proceedings in this trust may obtain additional information from the Trustee or the court file.

Date first published July 20, 2016.

Pioneer Trust Bank, N.A., Trustee of the Prudence J. Reed Trust

P.O. Box 2305 Salem, OR 97308

THE STATE OF OREGON FOR THE COUNTY OF POLK

Deceased.

PERSONS

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, c/o Raphael Conant, Attorney at Law, OSB #066877 PO Box 852, Salem, OR 97308, within four months after the date of first publication of this

and local and state government NOTICE OF SHERIFF'S SALE

· Lucio Juarez Aguilar, 22, of Steven John Malcom, 22, of

"motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service on the plaintiff.

The object of the complaint is to foreclose a deed of trust dated August 19, 2009 and recorded as Instrument No. 2009-010523 given by Larry R Duddles on property common-ly known as 1988 Michigan Ćity Lane NW, Salem, OR 97304 and legally described as:

Lot Numbered 79, WEST-VIEW ESTATES PHASE II, City of Salem, Polk County, Oregon.

The complaint seeks to foreclose and terminate all in-terest of Unknown Heirs of Larry R. Duddles and all other interests in the property.

The "motion" or "answer' (or "reply") must be given to the court clerk or administrator within 30 days of the date of first publication specified herein along with the required filing fee. The date of first publication of the summons is August 3, 2016.

If you are in the active military service of the United States, or believe that you may be entitled to protection of the SCRA, please contact our office. If you do not contact us, we will report to the court that we do not believe that you are protected under the SCRA.

If you have questions, you should see an attorney immediately. If you need help in finding an attorney, you may contact the Oregon State Bar's Lawyer Referral Service online at www.oregonstatebar.org or by calling (503) 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636.

Attorneys for Plaintiff, SHAPIRO & SUTHERLAND, LLC /s/. Adam R Hollar Adam R. Hollar # 093870 [ahollar@LOGS.com] 7632 SW Durham Road, Suite 350, Tigard, OR 97224 (360)260-2253; Fax (360)260-2285

(Aug. 3, 10, 17, 24, 2016)

NOTICE OF LAND USE HEARINGS

The Polk County Hearings Officer and Board of Commis-

LOCATION FOR BOTH HEARINGS:Hearing/Conference Room, First Floor, Polk County Courthouse, 850 Main Street, Dallas, Oregon

POLK COUNTY CONTACT: Mark Bernard Phone: (503) 623-9237 Email:

bernard.mark@co.polk.or.us

The location of the hearing handicapped accessible. Please advise the Community Development Department at 503-623-9237, if you will need any special accommodations to attend or participate in the meeting.

A copy of all documents and evidence relied upon in making this decision, and the applicable criteria are available for inspection at no cost and will be provided at the Community Development Department for the cost of copying. Failure of an issue to be raised in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing, copies can be obtained at a reasonable cost. Testimony may be submitted in writing to the Community Development Department prior to the public hearings. The public hearings will be conducted in a manner that allows written or oral testimony in favor, opposition, and general testimony. Testimony must address the applicable criteria. The Hearings Officer reviews non-legislative amendments and provides a recommendation to the Board of Commissioners for a final decision. Please include the file numbers PA 15-02 & ZC 15-01 in all correspondence regarding this application. Correspondence may be submitted to:

Polk County Community Development, Polk County Courthouse, 850 Main Street, Dallas, OR 97338.

Written comments received by August 18, 2016 at 5:00 PM will be included in the staff report for the Hearings Officer. Written comments received by September 30, 2016 at 5:00 PM will be included in the staff report for the Board of Commissioners.

(Aug. 3, 2016)

#### NOTICE TO INTERESTED PERSONS

NOTICE IS HEREBY GIVEN that SCOTT A. NOAKES has been appointed Personal Representative of the above-captioned estate. All persons having claims against the estate are required to present them to the Personal Representative at the address shown below within four months after the date of first publication of this Notice. All persons whose rights may be affected by the probate proceeding may ob-tain additional information from the court records, the Personal Representative or the attorney for the Personal Representative.

DATED AND FIRST PUB-LISHED this 3rd day of August, 2016.

Monica D. Pacheco, OSB#064600 PERSONAL REPRESENTATIVE Scott A. Koakes 14121 Redwood Court Lake Oswego, OR 97034 (503) 708-7909 ATTÓRNEY Monica D. Pacheco, OSB#064600 DOUGLAS, CONROYD, GIBB & PACHECO, P.C. 528 Cottage Street N.E. P.O. Box 469 Salem, OR 97308-0469 (503) 364-7000 Facśimile: (503) 585-0699 monica@dcm-law.com

(Aug. 3, 10, 17, 2016)

#### Notice of Preliminary Determination for Water Right Transfer T-12149

T-12149 filed by Hamilton Farms, LLC, 14190 Airlie Rd, Monmouth, OR 97361, proposes a change in character of use under Certificates 41746, 41747, and 81452. Certificate 41746 allows for the storage of 6.0 acre-feet (af) in Reservoir No. 1 and 1.8 af in Reservoir No. 3 both in Sec. 32, T9S, R5W WM for stock use; Certificate 41747 allows for the storage of 3.0 af in Reservoir No. 4 in Sec. 28, T9S, R5W WM for stock use; Certificate 81452 allows for the storage of 1.0 af in Hamilton 5 Reservoir and 2.0 af in Hamilton 7 Reservoir in Sec. 32, T9S, R5W, and Sec 5, T10S, R5W, WM for livestock, fire protection and flood control. The applicant proposes to change the character of use to multipurpose, including but not limited to, livestock, fire protection and flood control. The Water Resources Departbarred.

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, Raphael Conant.

Dated and first published July 27, 2016. George A. Gray, **Personal Representative** 

(July 27; Aug. 3, 10, 2016)

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF POLK **Probate Department** 

In the Matter of the Estate of MARK ABEL Deceased.

Case No. 16PB044532 NOTICE TO INTERESTED PERSONS

NOTICE IS HEREBY GIVEN that LESLIE WARD has been appointed personal representative. All persons having claims against the estate are required to present them, with vouchers attached, to the personal representative c/o Michael A. Halliday, Halliday Law, PC, 494 State St, Suite 250, Salem, Oregon 97301 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.

DATED and first published July 20, 2016. Michael A. Halliday,

OSB #045610 Attorney for Personal Representative

(July 20, 27; Aug. 3, 2016)

PRUDENCE J. REED **REVOCABLE TRUST** NOTICE TO CLAIMANTS

In the Circuit Court of the State of Oregon for the County of Polk, Probate Department Case Number 16PB04415.

In the Matter of the Prudence J. Reed Revocable Trust under agreement dated July 17, 1997.

Prudence J. Reed is the Settlor of the Prudence J. Reed **Revocable Trust.** Pioneer Trust Bank, N.A. is the Trustee of the Prudence J. Reed Revocable Trust.

All persons having claims

PROPERTY ADDRESS: 6150 Fern Hill Road, Monmouth, OR 97361

There is a default by the grantor or other person owing an obligation or by their successor in interest, the performance of which is secured by said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is grantors' failure to pay when due the following sums: monthly payments in the total amount of \$15,566.88 beginning July 1, 2014; plus ac-crued late charges in the total amount of \$1,068.60; plus other fees and costs in the amount of \$712.50; 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 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: \$275,407.06 with interest thereon at the rate of 5.25000 percent per annum beginning June 1, 2014; plus escrow advances in the total amount of \$4,469.84; plus accrued late charges in the total amount of \$1,068.00; plus other fees and costs in the amount of \$846.00; togethRobinson Tait, P.S.

710 Second Ave, Suite 710 Seattle, WA 98104

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COL-LECT A DEBT. ANY INFOR-MATION OBTAINED WILL BE **USED FOR THAT PURPOSE. IF** YOU HAVE RECEIVED A DIS-CHARGE OF THE DEBT REF-ERENCED HEREIN IN A BANKRUPTCY PROCEEDING, THIS LETTER IS NOT AN AT-TEMPT TO IMPOSE PERSON-AL LIABILITY UPON YOU FOR PAYMENT OF THAT DEBT. IN THE EVENT YOU HAVE RE-**CEIVED A BANKRUPTCY DIS-**CHARGE, ANY ACTION TO EN-FORCE THE DEBT WILL BE TAKEN AGAINST THE PROP-ERTY ONLY.

(July 13, 20, 27; Aug. 3, 2016)