

1221

Vol. M-65 Page 2896

1118

Vol. M-65 Page 2689

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## NOTICE OF DEFAULT AND ELECTION TO SELL

Thomas W. Timmons and Muriel S. Timmons, husband and wife, as grantor, made, executed and delivered to First Federal Savings and Loan Association, a corp., as trustee, to secure the performance of certain obligations including the payment of the principal sum of \$27,000.00 in favor of Ada Matthews, as beneficiary, that certain trust deed dated December 20, 1963, and recorded December 20, 1963, in book 220 at page 643 of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county:

Lots 4 and 5, Block 105, Klamath Addition to the City of Klamath Falls, Klamath County, Oregon.

That by instrument recorded October 14, 1965, Document 1117 Microfilm #M-65 at page 2688 Records of Klamath County, Oregon, Ernest F. Gordon, Attorney at Law, was appointed successor Trustee.

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 situate 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.

There is a default by the grantor owing the obligations, 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 has failed to pay, when due, the following sums thereon:

\$213.15 on May 1, 1965  
213.15 on June 1, 1965  
213.15 on July 1, 1965  
213.15 on August 1, 1965  
213.15 on September 1, 1965  
213.15 on October 1, 1965

And 1964-65 taxes in sum of \$725.48, plus interest,

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the foreclosure mentioned 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:

\$25,546.30 with interest thereon at rate of 5% per annum from May 1, 1965.

Notice hereby is given that the undersigned, by reason of said default, has elected and he hereby does elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 to 86.795, 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 him of the trust deed, together with any interest the grantor or his successors in interest acquired after the 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 10:00 o'clock, A.M., Standard Time, as established by Section 187.110 of Oregon Revised Statutes on March 3, 1965, at the following place: Front steps of Klamath County Courthouse in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee for said sale.

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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 of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except:

NAME AND LAST KNOWN ADDRESS	NATURE OF RIGHT, LIEN OR INTEREST
Eccles Motor Co., an Oregon Corporation 606 South Sixth Street Klamath Falls, Oregon	Party in possession
The Bank of Klamath Falls 6th & Klamath Avenue Klamath Falls, Oregon	Beneficiary under Trust Deed wherein above named grantors are grantors and Oregon Title Insurance Company is Trustee, dated June 24, 1964, recorded June 26, 1964, in Vol. 224 at page 192, Mortgage Records of Klamath County, Oregon, which lien is junior and inferior to this beneficiary's lien

Notice is further given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred), together with costs, trustee's and attorney's fees, at any time prior to the date set for said sale.

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: October 13, 1965

*Ada Matthews* Beneficiary  
/ *Trustee* Beneficiary (State which)

(If executed by a corporation, affix corporate seal)

NOTICE OF DEFAULT AND  
ELECTION TO SELL  
(FORM No. 884)  
STEVEN-NEES LAW PUB. CO., PORTLAND, ORE.  
RE TRUST DEED

Grantor

TO

Trustee

STATE OF OREGON,  
County of Klamath ss.  
I certify that the within instrument was received for record on the 14 day of Oct., 1965, at 10:01 o'clock P.M., and recorded in Book 265 on page 289. Record of Deeds of said County. Witness my hand and seal of County affixed.

Dorothy Rogers  
County Clerk-Recorder.  
By *James M. Hall*  
Deputy  
Fee \$3.00  
AFTER RECORDING RETURN TO

*James M. Hall*  
4 Bldg

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,  
County of Klamath ss.  
October 13, 1965  
Personally appeared the above named  
Ada Matthews  
and acknowledged the foregoing instrument to be  
her voluntary act and deed.

Before me:  
(OFFICIAL SEAL) *Carl V. Macdonald*  
Notary Public for Oregon  
My commission expires: April 4, 1967

STATE OF OREGON, COUNTY OF KLAMATH; ss.  
Filed for record a request of Ganong, Ganong & Gordon  
this 18th day of October A.D. 1965 at 4:29 P.  
daily recorded in Vol. M-65, of Mortgages 2890  
DOROTHY ROGERS  
By *Dolores Lewis*