

25792

VOL. 768 PAGE 7946

NOTICE OF DEFAULT AND ELECTION TO SELL

Bruce G. Houck and Paula E. Houck (also known as Paula G. Houck), husband and wife, as grantors, made, executed and delivered to William Ganong, as trustee, to secure the performance of certain obligations including the payment of the principal sum of \$28,000.00 in favor of First Federal Savings and Loan Association of Klamath Falls, as beneficiary, that certain trust deed dated April 2, 1963, recorded April 5, 1963, in book 216 at page 356 of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county:

Lot 1 and the Northwesterly rectangular one-half of Lot 2 in Block 40 of HILLSIDE ADDITION to the City of Klamath Falls, Oregon, saving and excepting therefrom a 20 foot strip off the extreme Southwest side of said Lots given to the County to widen the alley through said Block into a 40 foot street, said property in Klamath County, Oregon.

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.

There is a default by the grantors 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 grantors have failed to pay, when due, the following sums thereon:

The July payment in the sum of \$255.80;
and
The August payment in the sum of \$255.80

which are now past due, owing and delinquent. Grantors' 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: \$24,752.26, together with interest thereon at the rate

1 of 8% per annum from July 18, 1968, until paid, together with attorneys' fees
 2 and trustee's fees of \$739.28, plus costs and disbursements of non-judicial
 3 foreclosure proceedings.

4 Notice hereby is given that the undersigned, by reason of said default, has
 5 elected and it hereby does elect to foreclose said trust deed by advertisement
 6 and sale pursuant to Oregon Revised Statutes Sections 86.705 to 86.795, and to
 7 cause to be sold at public auction to the highest bidder for cash the interest
 8 in the said described property which the grantors had, or had the power to con-
 9 vey, at the time of the execution by them of the trust deed, together with any
 10 interest the grantors, or their successors in interest acquired after the execu-
 11 tion of the trust deed, to satisfy the obligations secured by said trust deed
 12 and the expenses of the sale, including a reasonable charge by the trustee as
 13 provided by law, and the reasonable fees of trustee's attorneys.

14 Said sale will be held at the hour of 10:00 o'clock A.M., Standard Time, as
 15 established by Section 187.110 of Oregon Revised Statutes, on January 14, 1969,
 16 at the following place: Front steps of the Klamath County Courthouse, in the
 17 City of Klamath Falls, County of Klamath, State of Oregon, which is the hour,
 18 date and place fixed by the trustee for said sale.

19 Other than as shown of record, neither the said beneficiary nor the said
 20 trustee has any actual notice of any person having or claiming to have any lien
 21 upon or interest in the real property hereinabove described subsequent to the
 22 interest of the trustee in the trust deed, or of any successor in interest to
 23 the grantors, or of any lessee or other person in possession of or occupying the
 24 property, except:

	<u>Name and Last Known Address</u>	<u>Nature of Right, Lien or Interest</u>
26	1. Klamath County Tax Collector Klamath County Courthouse Klamath Falls, Oregon	Personal Property Tax Liens
28	2. Phil D. Schroeder and Gertrude M. Schroeder, husband and wife, 1321 Pacific Terrace Klamath Falls, Oregon	Mortgage
31	3. State Compensation Department Salem, Oregon	Worker's Compensation Payment Liens
32	4. Oregon State Tax Commission Salem, Oregon	State Tax Liens

7948

- 1 5. Mark M. Brawman, also known as Judgment Lien
2 Mark M. Brawman
3 Box 485
4 Yreka, California
- 5 6. J. Anthony Giacomini Attorney for Judgment Lien Creditor,
6 Attorney at Law Item 5. above.
7 125 N. 8th Street
8 Klamath Falls, Oregon
- 9 7. Carter-Jones Collection Service Judgment Lien
10 1215 Main Street
11 Klamath Falls, Oregon
- 12 8. S. Eugene Allen, et al, as Trustee Judgment Liens
13 3626 S. W. Dakota
14 Portland, Oregon
- 15 9. L. C. Handley and Ken Johnson Judgment Lien
16 202 N. Oregon St.,
17 Yreka, California
- 18 10. Ramirez and Hoots Attorneys for Judgment Lien Creditor,
19 Attorneys at Law Item 9. above
20 514 Walnut
21 Klamath Falls, Oregon

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

28 In construing this notice and whenever the context hereof so requires, the
29 masculine gender includes the feminine and the neuter, the singular includes the
30 plural, the word "grantor" includes any successor in interest to the grantor as
31 well as each and all other persons owing an obligation, the performance of which
32 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: September 3, 1968.

FIRST FEDERAL SAVINGS & LOAN ASSOCIATION
OF KLAMATH FALLS, a corporation.

By James M. Miller, President
By James D. Bouch, Secretary

DANONG, DANONG
& GORDON
ATTORNEYS AT LAW
KLAMATH FALLS, ORE.

7949

1 STATE OF OREGON)
2 County of Klamath) SS September 3, 1968

3 Personally appeared Van S. Mollison and James D. Bocchi, who, being duly
4 sworn, each for himself and not one for the other, did say that the former is
5 the President and that the latter is the Secretary of First Federal Savings &
6 Loan Association of Klamath Falls, a corporation, and that said instrument was
7 signed in behalf of said corporation by authority of its board of directors;
8 and each of them acknowledged said instrument to be its voluntary act and deed.

9 Before me:

10 *Mary Ottwell*
11 NOTARY PUBLIC FOR OREGON
12 My Commission expires: 8/16/69

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STATE OF OREGON, } ss
County of Klamath }
Filed for record at request of
Ganong, Ganong, Gordon
on this 3 day of September A. D. 19 68
at 1:05 o'clock P. M. and duly
recorded in Vol. M-68 of Mortgages
Page 7946
DOROTHY ROGERS, County Clerk
By *Charles H. Kristman* Deputy
Fee 6.00

Ret.
GANONG, GANONG
& GORDON
ATTORNEYS AT LAW
KLAMATH FALLS, ORE.