

APR 15 11 51 AM 1970

NOTICE OF DEFAULT AND ELECTION TO SELL

1 ROBERT C. YUEN and EMILY L. YUEN, as grantors, made
2 executed and delivered to Transamerica Title Insurance Company,
3 as Trustee, to secure the performance of certain obligations
4 including the payment of the principal sum of Four Thousand and
5 no/100 Dollars (\$4,000.00) in favor of the Bank of Klamath Falls,
6 now known as the Bank of Klamath Country, as beneficiary, that
7 certain trust deed dated July 23, 1969, and recorded July 29, 1969,
8 in Book M-69 at page 6575 of the mortgage records of Klamath
9 County, Oregon, covering the following described real property
10 situated in said county:

11 Lots 4, 5 and 6, Block 46 of HILLSIDE ADDITION to
12 the City of Klamath Falls, EXCEPTING therefrom
13 the Southwesterly 20 feet thereof, Klamath County,
14 Oregon

15 The undersigned hereby certifies that no assignments of
16 the trust deed by the trustee or by the beneficiary and no
17 appointments of a successor trustee have been made except as
18 recorded in the mortgage records of the county or counties in
19 which the above described real property is situate and that the
20 beneficiary is the owner and holder of the obligations, the
21 performance of which is secured by said trust deed; further, that
22 no action, suit or proceeding has been instituted to recover the
23 debt, or any part thereof, now remaining secured by said trust
24 deed, or, if such action or proceeding has been instituted, such
25 action or proceeding has been dismissed.

26 There is a default by the grantor owing the obligations,
27 the performance of which is secured by said trust deed, with
28 respect to provisions therein which authorize sale in the event
29 of default of such provision, in that the grantor has failed to
30 pay, when due, the following sums thereon:

31 The sum of \$3,007.67, due November 14, 1969, with
32 interest at the rate of 8 1/2% per annum from
November 14, 1969,

BOIVIN, BOIVIN
& KOSTA
ATTORNEYS AT LAW
210 BOIVIN BUILDING
KLAMATH FALLS,
OREGON 97601
TELEPHONE 884-8101

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1 which sum is now past due, owing and delinquent. Grantors'
 2 failure just described is the default for which the foreclosure
 3 mentioned hereinafter is made.

4 By reason of said default, the beneficiary has declared all
 5 obligations secured by said trust deed immediately due, owing
 6 and payable, said sums being the following, to-wit:

7 Three Thousand Seven and 67/100 Dollars (\$3,007.67)
 8 with interest thereon at the rate of 8 1/2% per
 9 annum from the 14th day of November, 1969, until
 paid.

10 Notice is hereby given that the undersigned, by reason of
 11 said default, has elected and he hereby does elect to foreclose
 12 said trust deed by advertisement and sale pursuant to Oregon
 13 Revised Statutes Sections 86.705 to 86.795, and to cause to be
 14 sold at public auction to the highest bidder for cash the interest
 15 in said described property which the grantors had, or had the
 16 power to convey, at the time of the execution by him of the trust
 17 deed, together with any interest the grantor or his successors in
 18 interest acquired after the execution of the trust deed, to satisfy
 19 the obligations secured by said trust deed and the expenses of the
 20 sale, including a reasonable charge by the trustee as provided by
 21 law, and the reasonable fees of trustee's attorneys.

22 Said sale will be held at the hour of 10:30 a.m./as
 23 established by Section 187.110 of Oregon Revised Statutes on
 24 August 14, 1970, at the following place: Suite 210, Boivin
 25 Building, 110 North Sixth Street, Klamath Falls, County of Klamath,
 26 State of Oregon, which is the hour, date and place fixed by the
 27 Trustee for said sale.

28 Other than as shown of record, neither the said benefi-
 29 ciary nor the said Trustee has any actual notice of any person
 30 having or claiming to have any lien upon or interest in the real
 31 property hereinabove described subsequent to the interest of the
 32 trustee in the trust deed, or of any successor in interest to the

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1 grantors or any lessee or other person in possession of or
2 occupying the property.

3 Notice is further given that any person named in Section
4 86.760 of Oregon Revised Statutes has the right to have the
5 foreclosure proceeding dismissed and the trust deed reinstated by
6 payment of the entire amount due (other than such portion of said
7 principal as would not then be due had no default occurred),
8 together with costs, trustee's and attorney's fees, at any time
9 prior to five days before the date set for said sale.

10 In construing this notice and whenever the context hereof
11 so requires, the masculine gender includes the feminine and the
12 neuter, the singular includes the plural, the word "grantor"
13 includes any successor in interest to the grantor as well as each
14 and all other persons owing an obligation, the performance of which
15 is secured by said trust deed, the word "trustee" includes any
16 successor trustee, and the word "beneficiary" includes any
17 successor in interest of the beneficiary first named above.

18 DATED this 15th day of April, 1970.

Robert D. Boivin
Successor Trustee

21 STATE OF OREGON)
22) ss.
23 County of Klamath)

24 On this 15th day of April, 1970, personally appeared
25 before me, A Notary Public in and for said County and State,
26 the within named Robert D. Boivin and acknowledged to me that the
27 foregoing instrument was his voluntary act and deed.

Steven Mary Vogel
Notary Public for Oregon
My Commission Expires: 3-8-74

28 STATE OF OREGON, }
29 County of Klamath } ss.

30 Filed for record at request of:
31 BOIVIN & BOIVIN & KOSTA
32 on this 15th day of April A.D. 1970
at 11:51 o'clock AM and duly
recorded in Vol. M 70 of Deeds
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WM. D. MILNE, County Clerk

Fee \$4.50 By *Hazel Drayton* Deputy.

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