

NOTICE OF DEFAULT AND ELECTION TO SELL

WILBERT L. CASPELL and CARLENE C. CASPELL, husband and wife, as grantor, made, executed and delivered to OREGON TITLE INSURANCE COMPANY, a corporation, as trustee, to secure the performance of certain obligations including the payment of the principal sum of \$14,950.00 in favor of COMMONWEALTH, INC., an Oregon corporation as beneficiary, that certain trust deed dated March 24, 1967, and recorded April 3, 1967, in book M-67 at page 2256 of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county:

Lot 15, Block 1, KELENE GARDENS

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:

Installment due June 1, 1970, in the amount of \$130.00
 Installment due July 1, 1970, in the amount of \$130.00
 Installment due August 1, 1970, in the amount of \$130.00
 Installment due September 1, 1970, in the amount of \$130.00
 Installment due October 1, 1970, in the amount of \$130.00
 Installment due November 1, 1970, in the amount of \$130.00

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:

\$14,415.08, with interest at the rate of 6% per annum from May 1, 1970; the further sum of \$311.48 for 1970-71 real property taxes; late charge of 2¢ per each dollar delinquent on payments more than 15 days' delinquent; any delinquent tax assessments or insurance premiums due and payable, and all costs and expenses of non-judicial foreclosure procedures.

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 o'clock, A.M., Standard Time, as established by Section 187.110 of Oregon Revised Statutes on March 29, 1971, at the following place: Front steps of the 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.

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
Grover C. Clark and Ferol J. Clark
3811 Kelley Drive, Klamath Falls, Oregon
M. A. Carter, dba Carter's Collection
Agency, 1215 Main Street, Klamath Falls
Carter-Jones Collection Service, Inc.
1215 Main Street, Klamath Falls, Oregon

Harold M. Sliger, Attorney, 538 Main
Street, Klamath Falls, Oregon
General Credit Service, Inc.
P. O. Box 8
Medford, Oregon

NATURE OF RIGHT, LIEN OR INTEREST
Deed covering said property from
above-named grantors.
JLD 19-44-5 Docketed 10/24/62
Judgment Lien against G. Clark and
Mrs. G. Clark

JLD 23-165-2 Docketed 6/26/69
Judgment Lien against Grover Charles
Clark
Attorney's Lien re Suit No. 69-266 E.
and 70-216 E.
JLD 23-432-1 Docketed 10/29/70
Judgment Lien against Grover C.
Clark and Jane Doe Clark, his wife.

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 five days before 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: November 23, 1970

Successor Trustee

Beneficiary

(State which)

(If executed by a corporation,
affix corporate seal)

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ELECTION TO SELL
(FORM No. 884)

STEVENS-LEWIS PUBLISHING CO., PORTLAND, ORE.
RE TRUST DEED

Grantor
TO
Trustee

STATE OF OREGON,
County of Klamath
I certify that the within instru-
ment was received for record on the
23 day of November, 1970,
at 1:22 o'clock P.M., and recorded
in book M 70 on page 10158
Record of Mortgages of said County.
Witness my hand and seal of
County affixed.

WM. D. MILNE

COUNTY CLERK

Deputy
AFTER RECORDING RETURN TO
Fee \$3.00

H. F. Smith
Attorney at Law
538 Main St.
City

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

(ORS 93.490)

STATE OF OREGON,
County of Klamath
November 23, 1970
Personally appeared the above named H. F. SMITH
and acknowledged the foregoing instrument to be
his voluntary act and deed.

Before me:
(OFFICIAL SEAL) *Delores Baldwin*
Notary Public for Oregon
My commission expires: 5/13/73

STATE OF OREGON, County of Klamath) ss.
Personally appeared _____ and
_____ who, being duly sworn,
each for himself and not one for the other, did say that the former is the
_____ president and that the latter is the
_____ secretary of
_____, a corporation, and that the seal affixed to the
foregoing instrument is the corporate seal of said corporation and that said
instrument was signed and sealed in behalf of said corporation by author-
ity of its board of directors; and each of them acknowledged said instrument
to be its voluntary act and deed.

Before me:
Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

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FORM No.

A-20457

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SERVICE DATA