

50563

VOLUME 171 PAGE 3142

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by WILBERT L. CASPELL and CARLENE C. CASPELL, husband and wife, as grantor, to OREGON TITLE INSURANCE COMPANY, a corporation, as trustee, to secure certain obligations in favor of COMMONWEALTH, INC., a corporation, as beneficiary, dated March 24, 1967, 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 and state, to-wit:

Lot 15, Block 1, KELLENE GARDENS

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

Monthly installments due from June 1, 1970, through March 1, 1971, in the amount of \$130.00 each.

By reason of said default the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following, to-wit: \$14,415.08, with interest thereon 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.

A notice of default and election to sell and to foreclose was duly recorded April 12, 1971, in book M-71 at page 3140 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Monday, the 30th day of August, 1971 at the hour of 10 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the front steps of the Courthouse in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had grantor or his successors in interest acquired after the execution of said trust deed, together with any interest which the trustee secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 any other person owing an obligation, the performance of which is secured by said trust deed, and their successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the trust deed.

DATED at Klamath Falls, Oregon, April 12, 1971.

H. F. Smith

Successor Trustee

State of Oregon, County of Klamath, ss:
I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee; that I have carefully compared the foregoing copy of trustee's notice of sale with the original thereof and that the foregoing is a true and correct copy of the same.

STATE OF OREGON; COUNTY OF KLAMATH: ss.

Filed for record at request of H. F. SMITH
this 12th day of APRIL A.D., 1971 at 4:27 o'clock P.M., and duly recorded in
Vol. M 71, of MORTGAGES on Page 3142

FEE \$1.50

WM. D. MILNE, County Clerk

By Hazel Dugan