

87375

TRUSTEE'S NOTICE OF SALE

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4127

Reference is made to that certain trust deed made, executed and delivered by KENNETH L. PHEANIS, as grantor, to and CATHERINE V. PHEANIS, husband and wife, as trustee, to secure certain obligations in favor of FIRSTBANK MORTGAGE CORPORATION, as beneficiary, dated August 23, 1972, recorded September 26, 1972, in book Vol. M72 at page 10904 of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit: Lot 18 in Block 7 of TRACT No. 1025 WINCHESTER, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Subsequent to the execution of said Trust Deed, Marina Federal Savings & Loan Association became, and now is, the beneficiary thereunder by virtue of an Assignment from Firstbank Mortgage Corporation recorded November 20, 1972 in Vol. M72, page 13449, Microfilm Records of Klamath County, Oregon. Victor W. VanKoten became and now is, the successor trustee thereunder by virtue of an appointment by Marina Federal Savings & Loan Association dated the 6th day of February, 1974 and recorded February 13, 1974 in Vol. M74, page 2390 microfilm records of Klamath County, Oregon.

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: Payments of \$180 per month for each of the months of August, 1973, September, 1973, October, 1973, November, 1973, December, 1973, January, 1974 and February, 1974.

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: (1) Principal balance of \$22,656.08 plus interest at 7% per annum from July 1, 1973;

(2) Tax and insurance deficiency in the amount of \$99.68.

A notice of default and election to sell and to foreclose was duly recorded February 13, 1974, in book M 72 at page 2391 of said microfilm records, reference thereto hereby being expressly made. WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Monday, the 15th day of July, 1974, at the hour of 9:30 o'clock, A. M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Front steps, Klamath County 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 power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby 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 Portland, Oregon, February 19, 1974.

By: *Ed. Calk, Hardy, Butcher, McEwen & Weiss*
1408 Standard Plaza
Portland, OR 97204

ATTN: Victor W. VanKoten

Victor W. VanKoten
Successor Trustee

State of Oregon, County of _____, 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, correct and exact copy of the original trustee's notice of sale and of the whole thereof.

DATED at _____, Oregon, this _____ day of _____, 19____.

Attorney for said Trustee

4-24/48
XXXXXX

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XXXXXX

KLAMATH COUNTY TITLE COMPANY, Trustee,
Firstbank Mortgage Corporation, Beneficiary
KENNETH L. PHEANIS and CATHERINE V. PHEANIS

NOT FOUND RETURN
No. 14,257J

I, J. M. BRITTON, Sheriff of Klamath County, Oregon, do hereby certify that I received
the within TRUSTEE'S NOTICE OF SALE on the 21st day of
FEBRUARY, 1974, and after due and diligent search and inquiry, I hereby return
that I have been unable to find the within named ~~XXXXXXXX~~ KENNETH L. PHEANIS and
CATHERINE V. PHEANIS within Klamath County, Oregon.
Dated this 28th day of FEBRUARY, 1974

J. M. BRITTON, Sheriff
Klamath County, Oregon

By *David L. Smith*
Deputy Sheriff

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KIAMATH COUNTY TITLE CO
this 4th day of APRIL A. D., 1974 at 12:47 o'clock P. M., and duly recorded in
Vol. M 74 of MORTGAGES on Page 4127
FFE \$ 4.00

WM. D. MILNE, County Clerk
By *Harold Drayton* Deputy