

52386

TRUSTEE'S NOTICE OF SALE Vol. ^m 78 Page 17294

Reference is made to that certain trust deed made, executed and delivered by David Abern and Sherri Abern, husband and wife, as grantor, to William L. Sisemore, as trustee, to secure certain obligations in favor of Annie Jolliffe and Vada Jolliffe, husband and wife, as beneficiary, dated October 10, 1977, recorded October 13, 1977, in the mortgage records of Klamath County, Oregon, in Book 317, at page 19608, or as file number 37317, reel number (indicate which), covering the following described real property situated in said county and state, to-wit: Beginning at a point which is East along the center line of Section 10, Township 36 S., R. 6, E.W.M., a distance of 330 feet from the center of said Section 10 and thence South at right angles to said center line and parallel to the North-South center line a distance of 275 feet for the east point of beginning; thence East parallel to the North-South centerline a distance of 150 feet to a point; thence South parallel to centerline a distance of 150 feet; thence East parallel to the North-South centerline a distance of 150 feet to the point of beginning. Together with an easement for the use of the 50 foot roadway running from the forest service road along the Western boundary of the property adjoining said parcel on the West. Also, together with an easement for the use of the private canal and the roadway along the canal bed, lying Southernly of said parcel. 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 debt 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:

\$53.00 due November 20, 1977
\$53.00 due December 20, 1977
\$53.00 due January 20, 1978
\$53.00 due February 20, 1978
\$53.00 due March 20, 1978

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:

\$2,560.00 plus interest at the rate of 9.9% per annum from October 13, 1977.

A notice of default and election to sell and to foreclose was duly recorded April 20, 1978, in book 1-78 at page 2767 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Wednesday, the 23rd day of August, 1978, at the hour of 10:00 o'clock, A. M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Room 204, 540 Main Street, 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 36.760 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 21 1978

William L. Sisemore

STATE OF OREGON, COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 23rd day of August A.D., 1978 at 9:52 o'clock A. M., and duly recorded in Vol. 178 of Mortgages on Page 17294.

FEE \$1.00

WM. D. MILNE, County Clerk

By [Signature]