

SK

61971

Vol. <sup>m</sup>79 Page 2631

## NOTICE OF DEFAULT AND ELECTION TO SELL

PATRICK J. FOSTER, as grantor,  
made, executed and delivered to WILLIAM L. SISEMORE, as trustee,  
to secure the performance of certain obligations including the payment of the principal sum of \$ 4800.00  
in favor of CERTIFIED MORTGAGE CO., an Oregon Corp., as beneficiary,  
that certain trust deed dated October 9, 1978, and recorded October 10, 1978,  
in book M78 at page 22547 of the mortgage records of Klamath County, Oregon, or  
as file number 56401, reel number (indicate which), covering the following described real  
property situated in said county:

Lot 528, Block 127, MILLS ADDITION TO THE CITY OF  
KLAMATH FALLS, in the County of Klamath, State of  
Oregon.

The Beneficiary's interest was on October 16, 1978, assigned to H. A. Harrington or Marie Harrington, husband and wife, by instrument recorded October 16, 1978, in Book M78 at page 23052, Mortgage Records of Klamath County, Oregon, and was again assigned to Henry J. Caldwell, Jr. by instrument recorded January 11, 1979, in Book M79 at page 870, Mortgage Records of Klamath County, Oregon.

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:

November 13, 1978	\$ 45.00
December 13, 1978	45.00
January 13, 1979	45.00

Sign certificate and  
file excepted on a certificate

FILED

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:

\$4800.00, plus interest at the rate of 11.25% per annum from  
October 9, 1978.

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 10:00 o'clock, A.M., Standard Time, as established by Section 187.110 of Oregon Revised Statutes on June 12, 1979, at the following place: Room 204, 540 Main St., Klamath Falls, 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.

RECEIVED 10:25 AM  
FEB 1 1979

ck  
600

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	NATURE OF RIGHT, LIEN OR INTEREST
Carter-Jones Collection Service, Inc. 533 South Eighth Street Klamath Falls, Oregon 97601	Judgment Lien entered in Book 32, page 446, line 4

Notice is hereby given that the undersigned, as trustee of said trust, has caused this notice to be published in the Klamath Falls, Oregon, Oregonian, a newspaper of general circulation in said county, for the purpose of giving notice to all persons 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:

RECORDED 3-10-18

26800.00 DIME TRUSTEES OF OREGON

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: January 31, 1979

(If executed by a corporation, affix corporate seal)

Trustee

Beneficiary

(State which)

RECORDED 3-10-18

DOCEMBER 13, 1978

# NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 881)

STEVENS-REILLY PUB. CO., PORTLAND, ORE.

## RE TRUST DEED

Grantor

Trustee

STATE OF OREGON

County of Klamath

I certify that the within instrument was received for record on the 1st day of February, 1979, at 10:25 o'clock A.M., and recorded in book M79 on page 2631 or as file number 61971.

Witness my hand and seal of County affixed.

Wm. D. Milne

County Clerk

Title Deputy

By Brenda Black

Fee \$6.00

AFTER RECORDING RETURN TO

William L. Sisemore

540 Main St

Klamath Falls

Oregon

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

STATE OF OREGON

County of Klamath

January 31, 1979

Personally appeared the above named

William L. Sisemore

and acknowledged the foregoing instrument to be his

voluntary act and deed.

Before me, Notary Public for Oregon

(OFFICIAL SEAL) [Signature]

My commission expires: 2-5-81

STATE OF OREGON, County of Klamath

Personally appeared

and 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 authority 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

(OFFICIAL SEAL)