

62036

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## NOTICE OF DEFAULT AND ELECTION TO SELL

BUD ROBERTS

made, executed and delivered to WILLIAM L. SISEMORE, as grantor, to secure the performance of certain obligations including the payment of the principal sum of \$ 6,000.00 in favor of AUDIE JOLLIFF or VADIE JOLLIFF, as beneficiary, that certain trust deed dated December 1, 1977, and recorded December 2, 1977, in book M 77 at page 23345, of the mortgage records of Klamath County, Oregon, or as file number 239833, and none (indicate which), covering the following described real property situated in said county:

described on Exhibit A attached hereto

which said Trust Deed was assigned by Beneficiary to Certified Mortgage Co., Inc. by instrument recorded January 23, 1979, in Book M-79 at page 1906, 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:

October 20, 1978	\$ 79.30
November 20, 1978	79.30
December 20, 1978	79.30
January 20, 1979	79.30

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:

\$5,677.78 plus interest at the rate of 10% per annum from September 20, 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 11:00 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 Street, 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 FEB 2 1979 10:30 AM

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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  
Western Bank of Oregon  
Klamath Falls Branch  
421 So. 7th Street  
Klamath Falls, Oregon 97601

NATURE OF RIGHT, LIEN OR INTEREST  
Security Interest in Mobile Home

NOTICE OF FORECLOSURE  
NOTICE OF FORECLOSURE OF THE TRUST DEED

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: February 1, 19 79

William L. Sisemore  
Trustee  
Beneficiary  
(State which)

NOTICE OF DEFAULT AND ELECTION TO SELL  
(FORM NO. 184)

RE TRUST DEED

Grantor	Trustee	Beneficiary	Title	Deputy

STATE OF OREGON  
County of Klamath  
I certify that the within instrument was received for record on the day of 19 79 at o'clock M., and recorded in book on page or as file number of Record of Mortgages of said County. Witness my hand and seal of County affixed

AFTER RECORDING RETURN TO  
WILLIAM L. SISEMORE  
Attorney at Law  
540 Main Street  
Klamath Falls, OR 97601

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

STATE OF OREGON,  
County of Klamath  
February 1, 19 79  
Personally appeared the above named  
William L. Sisemore  
and acknowledged the foregoing instrument to be his voluntary act and deed.  
Notary Public for Oregon  
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 forer 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.  
Notary Public for Oregon  
My commission expires:

(OFFICIAL SEAL)



Parcel 1:

Exhibit A

The following described real property is situated in Klamath County, Oregon, being more particularly described as follows:

From the NW corner of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, Easterly along North line of said NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , 330 feet to the point of beginning; thence South and parallel with Section line of said Section 27, 132 feet to an iron pin; thence Easterly and parallel with North line of NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , 198 feet to an iron pin; thence North and parallel with Section line of said Section 27, 132 feet to an iron pin; thence Westerly 198 feet to the point of beginning.

Parcel 2:

A portion of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 27, Township 35 S. R. 7 E., Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the one-quarter common to Sections 27 and 28, said Township and Range; Thence East, parallel with the South line of said NW $\frac{1}{4}$  SW $\frac{1}{4}$ , a distance of 330.0 feet; thence South parallel with the West line of said Sec. 27, a distance of 132.0 feet; thence West, parallel with the South line of said NW $\frac{1}{4}$  SW $\frac{1}{4}$ , a distance of 330.0 feet to the West line of said Sec. 27; thence North, along said West line, a distance of 132.0 feet to the point of beginning.

Note: It is further stipulated by Lester Tolman and Roberta Tolman that they have agreed with James E. Rogers and Cora Rogers, from whom they purchased said property that the said  $\frac{1}{4}$  corner of Sec. 27, Township S. R. and 7 E. W. M. is the corner surveyed and found by Lyle Smith, Registered surveyor of Oregon, No. 290, this survey is on record in Klamath County, Oregon, this  $\frac{1}{4}$  corner is further agreed on by Lester Tolman and Roberta Tolman, husband and wife and Joe Dumore and Norine Dumore, husband and wife.

STATE OF OREGON; COUNTY OF KLAMATH; ss

Filed for record at request of William L. Sisemorethis 2nd day of February A. D. 1979 at 10:30 clock AM, orduly recorded in Vol. M79, of Mortgages on Page 2779

W. D. MILNE, County Clerk

Fee \$9.00

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