

72075

Vol. <sup>m</sup>79 Page 18937

NOTICE OF DEFAULT AND ELECTION TO SELL

Linda Meredith, as grantor,  
made, executed and delivered to Klamath County Title Company, as trustee,  
to secure the performance of certain obligations including the payment of the principal sum of \$ 1,311.00  
in favor of Klamath Forest Estates Unit No. 4, as beneficiary,  
that certain trust deed dated November 10, 1976, and recorded January 21, 1977,  
in book M.77 at page 1152, of the mortgage records of Klamath County, Oregon, or  
as file number, reel number (indicate which), covering the following described real  
property situated in said county:

Lot 1, Block 116, Klamath Falls Forest Estates Highway 66 Unit, No. 4,  
according to the official plat thereof on file in the office of the  
County Clerk 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:

Payment due May 10, 1979 and monthly payments thereafter.

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the fore-  
closure 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:

\$954.60 plus interest together with costs of Trustee Sale

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 2:15 o'clock, P.M., Standard Time, as established by Section  
187.110 of Oregon Revised Statutes on December 31, 1979, at the following place: Klamath County  
title Company, 422 Main, 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.

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

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.

KLAMATH COUNTY TITLE COMPANY

DATED: August 8, 1979

KLAMATH COUNTY TITLE COMPANY

By: Apple Hunnels  
Trustee ~~Beneficiary~~ (State which)

(If executed by a corporation,  
affix corporate seal)

**NOTICE OF DEFAULT AND  
ELECTION TO SELL**

FORM No. 884)

STEVENS, NESS LAW PUB. CO., PORTLAND, ORE.

## RETRUST DEED

# Grantor

10

**Trustee**

## STATE OF OREGON

County of Klamath

I certify that the within instrument was received for record on the 8th day of August, 1979, at 3:53 o'clock P.M., and recorded in book 479 on page 18937 or as file number 72075.

Record of Mortgages of said County.  
Witness my hand and seal of  
County affixed.

Mr. D. Milne

County Clerk

County Clerk / Title

Deputy

Fee \$7.00

**AFTER RECORDING RETURN TO**

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

(ORS 93.490)

STATE OF OREGON, )  
County of \_\_\_\_\_ ) ss.

19

and acknowledged the foregoing instrument to be  
voluntary act and deed.

*Before me:*

(OFFICIAL  
SEAL)

Notary Public for Oregon

**My commission expires:**

STATE OF OREGON, County of Klamath ) ss.  
August 8 1979

Personally appeared Darle Runnels and

who, being duly sworn, did say that the former is the secretary of Klamath.

County Title Co. ...., 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**

My commission expires:

(OFFICIAL  
SEAL)

25052

40

Page 10