NOTICE OF DEFAULT AND ELECTION TO SELL

WILLIAM L. SISEMORE

WILLIAM E. CHILCOTE

, as grantor,

as trustee,

to secure the performance of certain obligations including the payment of the principal sum of \$ 5,000.00 to secure the performance of certain obligations including the payment of the principal sum of \$ 5,000.00 in favor of TOVIN & COUNTRY MORTGAGE & INVESTMENT CO., INC.

as benefit that certain trust deed dated

September 20, 19, 78, and recorded

September 22, 19

as beneficiary, September 22 , 19 78 ,

21010 , of the mortgage records of M-78 at page

County, Oregon, or

(indicate which), covering the following described real in book (The beneficiary's interest was assigned to Melvin W. Ostrum , reel number and Edna M. Ostrum, husband and wife, by instrument recorded Nov. 13, 1978, in Vol. M-78 property situated in said county:

at page 25492):

Lot 1 of Block 1, Tract 1083 - Cedar Trails, 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:

> \$45.83 due August 20, 1979 45.83 due September 20, 1979 45.83 due October 20, 1979 45.83 due November 20, 1979

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:

\$5,000.00 plus interest from July 20, 1979, at the rate of 11% per

Notice hereby is given that the undersigned, by reason of said default, has elected and he hereby does elect to toreclose 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.

.M., Standard Time, as established by Section Said sale will be held at the hour of 10:15 o'clock. , 19 80, at the following place: Room 204, 540 Main April 24 187.110 of Oregon Revised Statutes on in the City of Klamath Falls . County of , State of Oregon, which is the hour, date and place fixed by the trustee for said sale. Street,

Klamath

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

NAME AND LAST KNOWN ADDRESS

NATURE OF RIGHT, LIEN OR INTEREST

James P. Furar 5421 Gatewood Klamath Falls, Oregon 97601

Present Owner of Parcel 1

Sheryle J. Furar 5421 Gatewood Klamath Falls, Oregon 97601

Present Owner of Parcel 2

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 wh ust

| deed, the word "trustee" includes any successor est of the beneficiary first named above. | ing an obligation, the performance of which retrustee, and the word "beneficiary" includes | is secured by said tr any successor in int |
|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| DATED: December 17 ,1979 . | William & Sisane | |
| (If executed by a corporation, affix corporate seal) | Trustee Bootickey | сания Сания |
| (If the signer of the above is a corporation, use the form of acknowledgment apposite.) | | |
| STATE OF OREGON, (ORS 93, 490) | | |
| County of Klamath ss. | STATE OF OREGON, County of |) ss. |
| December 17 , 1979 | Personally appeared | |
| Personally appeared the above named | | a |
| William L. Sisemore and acknowledged the foregoing instrument to be his voluntary act and deed. | each for himself and not one for the other, did s | who, being duly sworsay that the former is the |
| | President secretary | and that the latter is the |
| (OFFICIAL Settle me. SEAL) Notary Public for Oregon My commission expires: 2-5-81 | , a corporation, and that the seal affixed to the instrument was signed and sealed in behalf of said corporation and that said ity of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed. Before me: | |
| My commission expires: 2-5-81 | Notary Public for Oregon | (OFFICIAL |
| | My commission expires: | SEAL) |

SPACE RESERVED

FOR

RECORDER'S USE

The second secon NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

RE TRUST DEED

Grantor

AFTER RECORDING RETURN TO

TO

Who of desenver

The second secon STATE OF OREGON

County of Rlamath

I certify that the within instrument was received for record on the 17th day of December , 19 79 , at 4:02 o'clock I'M., and recorded in book 179 on page 23959 or as file reel number 78235 Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne

By planes 12 Add to be Deputy.