

79379

Vol. 80 Page 875

## NOTICE OF DEFAULT AND ELECTION TO SELL

VIRGINIA P. ARMSTRONG

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 \$10,000.00 in favor of D. D. REEDER, as trustee, that certain trust deed dated February 9, 1978, and recorded February 10, 1978, in book M78 at page 2482, of the mortgage records of Klamath County, Oregon, or as file number, (indicate which), covering the following described real property situated in said county:

BE LINDA DEED

Lot 16 in Block 12 of Tract No. 1006 Second Addition to Cypress Hill, 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:

\$10,000.00 due on November 23, 1979

Plus interest monthly from October 23, 1979

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:

\$10,000.00 with interest at the rate of 10% per annum from September 23, 1979.

KIMBERLY ELLIS, Oregon  
2231 24TH  
ASTORIA, OREGON

OCCURRENC

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 10:15 o'clock, AM., Standard Time, as established by Section 187.110 of Oregon Revised Statutes on June 4, 1980 at the following place: 540 Main Street, Room 204, 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

William C. Ransom  
5431 Sylvia  
Klamath Falls, Oregon 97601  
James H. Patton  
6723 Amber  
Klamath Falls, Oregon 97601

## NATURE OF RIGHT, LIEN OR INTEREST

Present owner

Present owner

Present Tenant  
5521 Sylvia  
Klamath Falls, Oregon 97601

Occupant

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 15, 1980

Trustee

Beneficiary

(State which)

(If executed by a corporation,  
affix corporate seal)

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

STATE OF OREGON

County of Klamath  
January 15, 1980

Personally appeared the above named  
William L. Sisemore

and acknowledged the foregoing instrument to be  
his, a voluntary act and deed.

Before me:

(OFFICIAL SEAL) *Chris M. Talley*  
Notary Public for Oregon

My commission expires: 2-5-81

STATE OF OREGON, County of \_\_\_\_\_, 19\_\_\_\_ ss.

Personally appeared \_\_\_\_\_, 19\_\_\_\_, and \_\_\_\_\_, who, being duly sworn, 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.

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

# NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

STEVENS-NESS LAW FIRM, P.C., PORTLAND, ORE.

## RE TRUST DEED

Grantor  
TO  
Trustee

AFTER RECORDING RETURN TO:

William L. Sisemore  
540 Main  
Klamath Falls, OR

## STATE OF OREGON

County of Klamath

I certify that the within instrument was received for record on the 15th day of January, 1980, at 3:22 o'clock P.M. and recorded in book M80 on page 875 or as file/reel number 79379. Record of Mortgages of said County. Witness my hand and seal of County affixed.

Wm. D. Milne

Recording Officer.

By *Lumina Helich* Deputy.

Fee \$7.00