

91254

NOTICE OF DEFAULT AND ELECTION TO SELL

JOHN W. McHUGH and CAREN J. McHUGH, as grantor,
 made, executed and delivered to Transamerica Title Insurance Company, as trustee,
 to secure the performance of certain obligations including the payment of the principal sum of \$5,582.98
 in favor of C.I.T. FINANCIAL SERVICES, INC., as beneficiary,
 that certain trust deed dated July 21, 1978, and recorded July 26, 1978,
 in Book/Volume No. M-80 at page 6302 or as Document/Instrument/Recording
 No. 52381 (indicate which) of the mortgage records of Klamath County, Oregon,
 covering the following described real property situated in said county:

The West 1/2 of Lot 11, and that portion of Lot 12 in the County of
 Klamath, State of Oregon, described as follows:

Beginning at the Southwest corner of Lot 12; thence North 06°45' West
 80 feet to the Northwest corner of Lot 12; thence North 83°15' East
 200 feet to the Northeast corner of Lot 12; thence South 06°45' East
 8.00 feet; thence South 83°15' West 78.00 feet; thence South 06°45'
 East 7.00 feet; thence South 83°15' West 38.00 feet; thence South
 06°45' East 65.00 feet; thence South 83°15' West 84.00 feet to the
 point of beginning.

All being situated in Lots 11 and 12, Block 4, WEST KLAMATH ADDITION TO
 THE CITY OF KLAMATH FALLS

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. NOTE: William L. Ssemore
 was appointed successor trustee by instrument recorded Oct. 14, 1980, Vol M-80, page 1728 1/2

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:

\$164.00 due June 4, 1980
 \$164.00 due July 4, 1980
 \$164.00 due August 4, 1980
 \$164.00 due September 4, 1980
 \$164.00 due October 4, 1980

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:

\$4,036.29 plus interest from May 4, 1980

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 February 8, 1981, at the following place: 540 Main Street
 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.

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., an Oregon corporation 533 South 8th Street Klamath Falls, Oregon 97601	Judgment recorded in Book 35, page 18812, Judgment records, Klamath County, 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: October 14, 19 80.

William L. Sisemore
Trustee XXXXXXXX (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.)


(ORS 93.490)

STATE OF OREGON } ss.
County of Klamath }
October 19 80

STATE OF OREGON, County of _____) ss.
_____, 19____.

Personally appeared the above named
William L. Sisemore, trustee
and acknowledged the foregoing instrument to be
his voluntary act and deed.

Personally appeared _____ 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 author-
ity 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: 11-2-83

Before me: _____
Notary Public for Oregon
My commission expires: _____

(OFFICIAL SEAL)

(OFFICIAL SEAL)

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

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

RE TRUST DEED

John W. McHugh and Caren J. McHugh,
Grantor

TO
Transamerica Title Ins. Co. Trustee

AFTER RECORDING RETURN TO

Wm L. Sisemore
Sta. Main
Klamath Falls, Ore.

SPACE RESERVED FOR

RECORDER'S USE

STATE OF OREGON, } ss.
County of Klamath }

I certify that the within instrument was received for record on the 14th day of October, 19 80, at 11:36 o'clock A.M., and recorded in book/reel/volume No. M80 on page 19985 or as document/fee/file/instrument/microfilm No. 91254, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne
Deputy

Fee \$7.00