

91282

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 780 Page 20037
O SELL

20037

AND ELECTION TO SELL

E. W. G. DEVELOPMENT COMPANY

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 \$ 30,000.00, as trustee,

in favor of Certified Mortgage Co. July 2, 1980, as beneficiary,

that certain trust deed dated July 2, 1980 and recorded July 2, 1980,

in Book/Reel Volume No. M-80 at page 12430

Notarizing Documents, Inc., Notary Public for Oregon

(indicate which) of the mortgage records of Klamath County, Oregon,

covering the following described real property situated in said county:

Property described in exhibit A attached hereto.

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

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:

September 2, 1980 payment	\$300.00
October 2, 1980 payment	\$300.00

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

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:

\$30,000.00 plus interest

\$30,000.00 plus interest from August 2, 1980 plus late charges

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 10:30 o'clock, A.M., Standard Time, as established by Section 187.110 of Oregon Revised Statutes on February 18, 1981, at the following place: Room 204
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

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: Oct 14, 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.)

(ORS 93.490)

STATE OF OREGON,

County of Klamath

Oct 14, 1980

Personally appeared the above named

William L. Sisk

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

(OFFICIAL
SEAL)

Before me:

Notary Public for Oregon

My commission expires: 11-2-83

STATE OF OREGON, County of _____ ss.

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:

(OFFICIAL
SEAL)NOTICE OF DEFAULT AND
ELECTION TO SELL

(FORM No. 884)

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

RE TRUST DEED

Grantor

TO

Trustee

SPACE RESERVED
FOR
RECORDER'S USE

WILLIAM L. SISKMORE
Attorney at Law
540 Main Street
Klamath Falls, OR 97601

STATE OF OREGON, } ss.
County of _____

I certify that the within instru-
ment was received for record on the
_____ day of _____, 19____
at _____ o'clock _____ M., and recorded
in book/reel/volume No. _____ on
page _____ or as document/fee/file/
instrument/microfilm No. _____
Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

NAME

TITLE

By _____

Deputy

20039

DESCRIPTION

A portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a $\frac{1}{2}$ inch iron pin on the West line of Madison Street and the Northerly bank of the Enterprise Canal, which iron pin bears South 30.00 feet and West 30.00 feet and South 96.7 feet from the East quarter corner of said Section 2; thence along the Northerly bank of the Enterprise Canal North 70° 19' West, a distance of 123.1 feet to a one inch iron axel; thence North a distance of 85.6 feet to a point; thence East, parallel with the South right of way line of South Sixth Street a distance of 115.9 feet to a point on the West line of Madison Street; thence South along said West line a distance of 126.7 feet, more or less, to the point of beginning.

NOTE: The beneficial interest in the Trust Deed was assigned by instrument recorded Vol. M-80, page 12761, Mortgage Records Klamath County, Oregon to Seattle First National Bank as agent for John H. Sennhauser, Trustee for Edwin H. Sennhauser

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of William L. Sisemore, Atty.

this 14th day of October A. D. 19 80 at 2:51 o'clock P M., and

fully recorded in Vol. M80, of Mortgages on Page 20037

Wm D. MILNE, County Clerk

By Burnett & Co. Attys

Fee \$10.50

EXHIBIT "A"