

93657

AMENDED

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 780 Page 24097

WILLIAM E. CHILCOTE

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 \$ 5,000.00, as trustee,
 in favor of TOWN & COUNTRY MORTGAGE & INVESTMENT CO., INC., an Oregon Corp., as beneficiary,
 that certain trust deed dated September 20, 1978, and recorded September 22, 1978,
 in Book/Reel/Volume No. M-78 at page 21010 of its Document, Fee/Fil/Instrument/Microfilm—
 No. (indicate which) of the mortgage records of Klamath County, Oregon,
 covering the following described real property situated in said county: (beneficiary's interest was assigned
 to Melvin W. Ostrum et ux by instrument recorded Nov. 13, 1978, in Vol. M78, 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.

(Note: This notice is given to correct the notice recorded July 30, 1980, in Vol. M80, page 14187, to add parties of interest. The sale described in the original notice was not held.)

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 June 20, 1980, and a like sum due on the 20th day of each month thereafter.

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 May 20, 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 10:30 o'clock, A. M., Standard Time, as established by Section 187.110 of Oregon Revised Statutes on April 23, 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.

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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 E. Chilcote, President, Anza, Inc.
1826 Oregon
Klamath Falls, Oregon 97601
Vernon Durant
2340 So. Sixth Street
Klamath Falls, Oregon 97601
Cooper, Shuck, McGee & Associates
5440 So. Sixth St.,
Klamath Falls, Oregon 97601
Eugenia F. Chilcote
427 N.E. Alameda
Klamath Falls, Oregon 97601
Dept. of Human Resources
Leonard Sytsma
312 Public Service Bldg., Salem, Or. 97310
Carter-Jones Collection Service, Inc.
533 So. 8th St., Klamath Falls, Or. 97601

NATURE OF RIGHT, LIEN OR INTEREST
Present owner
Owner of an easement recorded in Vol. M80, page 9786, and mortgagee of mortgage recorded in Vol. M80, page 9788
Holders of a mortgage recorded in Vol. M80, page 2642
Judgment Lien Creditor, Book 28, Page C Line 1, Klamath County Judgment Lien Docket
Assignee of Judgment recorded in Book 28, Page C, Line 1, Klamath County Judgment Lien Docket
Judgment Lien Creditor, Judgment entered in Book 35, page 400, Line 2, Klamath Cty. Judgment Lien Docket
Judgment Lien Creditor, Judgment entered in Book 35, page 400, Line 2, Klamath Cty. Judgment Lien Docket

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: December 12, 1980

William E. Chilcote
Trustee
Bernetha A. Peterson
Beneficiary
(State of Oregon)

(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 } ss.
December 12, 1980 }
Personally appeared the above named
William L. Sisemore
and acknowledged the foregoing instrument to be
his voluntary act and deed.
Before me:
(OFFICIAL SEAL) *Wm. L. Sisemore*
Notary Public for Oregon
My commission expires: 2-5-81

STATE OF OREGON, County of Klamath } ss.
December 12, 1980 }
Personally appeared _____
and _____
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.
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 _____
AFTER RECORDING RETURN TO
William L. Sisemore
540 main

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,
County of Klamath } ss.
I certify that the within instrument was received for record on the 12th day of December, 1980, at 4:39 o'clock P.M., and recorded in book reel volume No. M80 on page 24097 or as document fee file instrument/microfilm No. 93657 Record of Mortgages of said County.
Witness my hand and seal of County affixed.
Wm. D. Milne
By *Bernetha A. Peterson* Deputy

Fee \$7.00