FORM No. 884-Oregon Trust Deed Series.	STEVENS-NESS LAW PUBLISHING CO., PORTLAND, CALGON	
OF 96661.	Vol.M8/ Page 3822	
1403. Standard Plana NOLICE OF DEPAULT VI Portland, 03, 97204	ND ELECTION TO SELL	<u>,</u> 1.
Algeor Morrert Herbert and Judy Y. Herbert	Α.Υ Χ.) Α.Υ Χ.) Α.Υ	ntor.
	Insurance Company, as trus	stee,
made, executed and delivered to	he payment of the principal sum of \$ 22,300.00	
to secure the performance of certain obligations metaling	n as benefici	ary,
in tavor of June 26 19-7	3. and recorded August 17, 19.	73
that certain trust deed dated	7 opas Base south Perch Christon Dorock to take	titoox
m Book reserve and the mortgage recor	rds of Klamath	gon,
made, executed and delivered to Transamerica Title to secure the performance of certain obligations including the in favor of Equitable Savings & Loan Association that certain trust deed dated June 26	aid county: 3:33 See	<u>E</u> el c
HE LEOSI DEED	the official plat, thereof on	31
file in the office of the County Cler	k of Klamath County, Oregon.	1919 1919 -
the second s	County of Mianath	
NOTICE OF DEFAULT AND ELECTION TO SELL	STATE OF DESCON	
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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.

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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:

Delinquent monthly payments of \$192.55 due July 1, 1980, August 1, 1980, September 1, 1980, November 1, 1980, December 1, 1980, and January 1, 1981 (figured at 7.5% per annum interest); beginning February 1, 1981, monthly payments of \$243.85 (figured at 10% per annum) and continuing until this trust deed is reinstated or goes to trustee's sale; seven late charges of \$7.86 each; one collection fee of \$25.00; foreclosure title report in the amount of \$125.00; attorney's fees, trustee's fees, plus other costs and expenses associated with this foreclosure.

fraitser as well as each and all other persons owing an obligation, the performance of which a struct is deed, the word "tenates" includes any successor-trustee, and the word "beneficiary" incluses and an experimentation of the beneficiary first manual above. EQUIDABLE BENINGS AND TAXED TO TAXED TO

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the foreclosure mentioned below is made and whenever the context person so reduced in which the foresug strought, toos, of any time brint to five days before the date set for said sale.

due, owing and payable, said sums being the following, to with the provide of the said trust deed immediately due, owing and payable, said sums being the following, to with the contrast of the said sums being the following to with the said trust deed immediately due, owing and payable, said sums being the following to with the said trust deed immediately due, owing and payable, said sums being the following to with the said trust deed immediately due, owing and payable, said sums being the following to with the said trust deed immediately due, owing the said trust deed immediately due, owing the said trust deed immediately due to the said trust deed immediately due to the said trust deed trust deed to the said trust deed to t

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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 1:00 o'clock, P. M., Standard Time, as established by Section 187:110 of Oregon Revised Statutes on August 4 ..., 19 81, at the following place: front steps of unante occurty: courthouse a near of or on an accurate to us in the City of Klamath Falls ..., County of 200 Harts Klamathing to us, State of Oregon, which is the hour; date and place fixed by the trustee for said sale. Other than as spush of tocard using pate(total nor up and the for a state of the 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: 4 19 81, at the following place first a second of oʻclerik, P. M., Standarni Fina Said sale will be held at the hour of 1:00

## NAME AND LAST KNOWN ADDRESS

## NATURE OF RIGHT, LIEN OR INTEREST

provided by law, and the trasonable loss of scustee's attorneys. oblightions secured by suid trust deed and the expenses of the sale, including a reasonable charge by the secure secure of the s with any interest the gramfor or his successors in interest acquired after the execution of the trust dead, to set of the which the grantor had, or had the power to convey, at the time of the execution by him of the frest coad, together and to cause to be sold at public suction to the bighest moder for cash the interest in the sold described property loviclose said trust dood by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.803 in 85.995 Wohne horoby is given that the undersigned, by reason of said default, has elected and " hercor does shed to

trustee's fees, plus other costs and expenses associated with this foreclosure title report in the amount fo \$125.00; actorney's foce rate of 100 per annum and continuing thereafter; reserve account deficit of \$130.19; insurance premium in the amount of \$100.00; seven late chirdes of \$7.87 each; one collection fee of \$25.00; The num of \$20,485.02 with interest thereon at the rate of 7.17 annum from June 5, 1980; commending January 1, 1981, interest at

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 inter-EQUITABLE SAVINGS AND, LOAN ASSOCIATION est of the beneficiary first named above.

. Witching 10 81 BA DATED: XSTAN ANDIXAX Beneficiary exercised sector sure title report in the sector for the sector of the s unnum) and continuing until this trust deed is reinstar ebruary 1, 1981, nonthly paymonts of 5243,85 (figured UCACEDOL DEL anon'i gured at dament opp the term of action action and the form of the form of action action of the form of the for , *19* 81  $10 \pm$ County of the state of the stat den tensen av

the market in the second s entatio. Personally appeared the above named .....

and acknowledged the foregoing instrument to be... voluntary act, and deed, or or site the childencia' has performence of which to say comments Before me: that apprentissed and (OFFICIAL DIMUNICE OF STREEDERS CONTRACTION SEAL) Unit interesting the search interest in the search interest inter My commission expires:

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STATE OF OREGON, County of Personally appeared William R. Thornton KAKX who, being duly sworn, he is the vice president water the vice of Equitable Savings and Association Loan ASSOCIATION , a corporation, and that the seal affixed to the toregoing 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 ESENERED acknowledged said instrument to be its voluntary act and deed. Before me: to be i Before me: Notary Public for Oregon **(OFFICIAL** SEAL) complission expires: 0 73.

Fee \$7.00

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STATE OF OREGON, NOTICE OF DEFAULT AND SS. County of ......Klamath ..... **ELECTION TO SELL** FORM No. 984 TICS OF FUR COMUCA CIER OF KISUNDI COMUCA that the within instrucoording to the official ment was received for record on the .3rd.....day of ....March....., 19...81, RE TRUST DEED at ..... 3:23 ..... o'clock .. P.. M., and recorded Terry Lis Herbert and and the book of the transfer sector. Judy Y. Herbert Grantor of the Space Reserved in book/reel/volume No....M81......on. page...3823 .....or as document/tee/tile/ instrument/microfilm No. 96661 .... hir FOR and her and Transamerica Title SATUCTrustee U ACCRECORDER'S USE Record of Mortgages of said County. Insurance Company is according on the manual and seal of Record of Mortgages of said County. that cortain trast de Lo detted ... June 26 County affixed. merica Title Ingurance Nyelyn Bienn County Clerk AFTER RECORDING RETURN TO 7. norpet e Victor W. Vankoten E OF DELYNIS THE ERSCHON INBY Servetha A Leloch Deputy 1408 Standard Plaza NOU Portland, OR 97204 1.1