

## NOTICE OF DEFAULT AND ELECTION TO SELL

Andrew S. Skowronski, 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 \$3,000.00 in favor of Wells Fargo Realty Services, Inc., as beneficiary, that certain trust deed dated January 19, 1978, and recorded April 3, 1978, in Book M78, at Page 6283, of the Mortgage Records of Klamath County, Oregon, covering the following described real property situated in said county:

Lot 19 in Block 10, Tract 1053-Oregon Shores, according to  
the official plat thereof on file in the office  
of the County Clerk of Klamath County, Oregon.

The beneficial interest was assigned to Real Estate Loan Fund Oreg. Ltd., by instrument dated January 26, 1978, recorded October 10, 1978, in Book M78, Page 22669, 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 situated and that Real Estate Loan Fund Oreg. Ltd., assignee of the the beneficiary, is the owner and holder of the obligations, the performance of which is secured by said trust deed; that William C. Crothers, Jr has been appointed successor trustee by instrument dated May 11, 1981, recorded in Klamath County Mortgage Records in Book M81, Page 8960; 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 Grantors 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 Grantors have failed to pay, when due, the following sums thereon:

\$32.66 per month from and including May 1, 1980, and each month thereafter, plus interest on the unpaid balance at 7% April 8, 1980.

which is now past due, owing and delinquent. Grantors' 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 the payable, said sums being the following, to-wit:

Unpaid principle balance of \$2,633.35

Unpaid interest thereon at 7% per annum from April 8, 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 Grantors had, or had the power to convey, at the time of the execution by him of the trust deed, together with any interest the Grantors or their successors in interest

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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 4:00 o'clock, P. M., as established by Section 187.110 of Oregon Revised Statutes on November 6, 1981, at the following place: On the steps of the County Courthouse, 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 Grantors or of any lessee or other person in possession of or occupying the property.

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 contest hereof so requires, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantors" includes any successor in interest to the Grantors as well as each and all other persons owing an obligation, the performance of which is secured by the 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 this 3 day of June, 1981.

*William C. Crothers, Jr.*  
Trustee

STATE OF OREGON, County of Marion)ss.

Personally appeared the above named William C. Crothers, Jr., Trustee, and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

*Meredith J. Brewer*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 1-7-83

AFTER RECORDING RETURN TO:

William C. Crothers, Jr.  
960 Broadway NE Suite 6  
Salem, Oregon 97301  
62/labf

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STATE OF OREGON; COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the 4th day of June A.D., 1981 at 11:26 o'clock A M., and duly recorded in Vol M81 of Mtg. on page 10012

Fee \$ 7.00

LVELYN BERN  
CLERK

By *Debra A. Jensen* Deputy