

TA-38-24068

6929

## NOTICE OF DEFAULT AND ELECTION TO SELL

20604

made, executed and delivered to ROBERT LECKLIDER and NANCY C. LECKLIDER, as grantor,  
to secure the performance of certain obligations including the payment of the principal sum of \$ 5,850.00, as trustee,  
in favor of TRANSAMERICA TITLE INSURANCE COMPANY,  
that certain trust deed dated July 15, 1978, and recorded September 21, 1978,  
in Book/Reel/Volume No. M78 at page 20892 or as Document/Reel/File/Instrument/Microfilm  
No. (indicate which) of the mortgage records of Klamath County, Oregon,  
covering the following described real property situated in said county:

Lot 4, Block 20, Tract No. 1113, OREGON  
SHORES - UNIT NO. 2, in the County of  
Klamath, State of 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 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:

Monthly installments heretofore becoming due and payable under the terms of said trust deed and the obligation secured thereby for the payment of principal, interest, and monthly requirements for assessments, insurance premiums and other charges due and payable with respect to said property in the total sum of \$617.53, including the last such monthly payment of \$66.79 due on November 1, 1981, and also including the sum of \$150 due for assessments,

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:

\$4,862.39, plus interest thereon at the rate of 8 percent per annum from April 1, 1981 until paid, and all sums expended by the beneficiary pursuant to the terms of said trust deed.

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 April 19, 1982, at the following place: front door of 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 grantor or of any lessee or other person in possession of or occupying the property, except:

NATURE OF RIGHT, LIEN OR INTEREST  
NAME AND LAST KNOWN ADDRESS

Notwithstanding to the extent of any prior deed of trust or mortgage, the execution of the trust deed to which this notice is attached shall not constitute a release of the property from the lien of the said deed of trust or mortgage, and the said deed of trust or mortgage shall remain in full force and effect until the same has been paid in full.

NOTICE TO THE DEED OF TRUST OR MORTGAGEE

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 as if 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: November 25, 1981. Bertrand J. Close Trustee (State which)  
Beneficiary

(If executed by a corporation, affix corporate seal)  
Successor Trustee  
(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON, County of Multnomah, ss.

County of Multnomah, ss.  
November 25, 1981.  
Personally appeared the above named  
Bertrand J. Close  
and acknowledged the foregoing instrument to be  
his voluntary act and deed.

Before me:  
(OFFICIAL SEAL)  
Liane D. Nitcher  
Notary Public for Oregon  
My commission expires: 8/20/85

STATE OF OREGON, County of Klamath, ss.  
Personally appeared Bertrand J. Close, 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 TRANSAMERICA TITLE INSURANCE COMPANY, 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:

NOTICE OF DEFAULT AND ELECTION TO SELL  
(FORM No. 884)  
STEVENS-NEES LAW PUB. CO., PORTLAND, ORE.

RE TRUST DEED  
G. ROBERT LECKLIDER and  
NANCY C. LECKLIDER Grantor  
TO  
TRANSAMERICA TITLE Trustee  
INSURANCE COMPANY

AFTER RECORDING RETURN TO  
Stoel, Rives, Boley, Fraser And Wyse  
900 S. W. Fifth Avenue  
Portland, Oregon 97204  
Bertrand J. Close

STATE OF OREGON, County of Klamath, ss.  
I certify that the within instrument was received for record on the 30 day of November, 1981, at 3:08 o'clock P.M., and recorded in book/reel/volume No. M. 81 on page 20604 or as document/tee/file/instrument/microfilm No. 6929.  
Record of Mortgages of said County.  
Witness my hand and seal of County affixed.  
Evelyn Biehn County Clerk  
By Jane McQuinn Deputy  
Fee \$8.00