

CE

7438

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## NOTICE OF DEFAULT AND ELECTION TO SELL

JERRY D. McGUIRE and CONSTANCE A. McGUIRE, who acquired title as / Constance A. Craft, as grantor, as trustee, made, executed and delivered to WILLIAM L. SISEMORE to secure the performance of certain obligations including the payment of the principal sum of \$ 2,500.00 in favor of TOWN AND COUNTRY MORTGAGE AND INVESTMENT CO., an Oregon Corporation, as beneficiary, that certain trust deed dated May 4, 1981, and recorded May 5, 1981, in Book / 12002000 No. M81 at page 7993 ~~BOOK 12002000 PAGE 7993~~ of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county:

The S $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 13, Township 35 South, Range 12, East of the Willamette Meridian, 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:

\$90.38 due September 4, 1981;  
90.38 due October 4, 1981;  
90.38 due November 4, 1981; and  
90.38 due December 4, 1981;

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:

\$2,341.36, plus interest from August 4, 1981, together with 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 10:00 o'clock, A.M., Standard Time, as established by Section 187.110 of Oregon Revised Statutes on April 27, 1982, 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.

61-120

NATURE OF RIGHT, LIEN OR INTEREST

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, 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.

Trustee Walter L. Lissner Beneficiary (State of which)

(If the signer of the above is a corporation,  
use the form of acknowledgment opposite.)

(OES 93-490)

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
 \_\_\_\_\_, 19\_\_\_\_.

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 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

(OFFICIAL  
SEAL)

STATE OF OREGON, }  
County of Klamath } ss.

I certify that the within instrument was received for record on the 15 day of December 19 81 at 3:21 o'clock P. M., and recorded in book/reel/volume No. M 31 on page. 21427 or as document/fee/file/instrument/microfilm No. 7438. Record of Mortgages of said County.

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

RE TRUST DEED

Witness my hand and seal of  
County affixed.

Evelyn Biehn County Clerk  
NAME TITLE  
By Joyce M. Lane Deputy  
Fee 8.00

William L. Sisemore  
540 Main Street  
Klamath Falls, Oregon 97601