

9843

Vol. M82 page 3000

MTC-11036

PROOF OF PERSONAL SERVICE

STATE OF OREGON)
) ss.
 County of Multnomah)

I, Valerie D. Fisher, of attorneys for the Successor Trustee under that certain Deed of Trust executed and delivered by BRIAN O'MAICIN, grantor, to D. L. HOOTS *, trustee, to secure certain obligations in favor of SECURITY SAVINGS AND LOAN ASSOCIATION (See attached Exhibit "A"), beneficiary, dated October 21, 1977, recorded October 21, 1977, in Volume No. M77, Page 20255 of the Mortgage Records of Klamath County, Oregon, do hereby certify as follows:

On February 23, 1982, I mailed to Wood & Leathlean (Oregon Investigative Services) in Klamath Falls, Oregon, true copies of the Notice of Default and Election to Sell and the Trustee's Notice of Sale for service upon Robert Whisler at 220 Pacific Terrace, Klamath Falls, Oregon, 97601. Paul Wood served Robert Whisler personally on February 25, 1982 at 6:10 p.m. at 220 Pacific Terrace, Klamath Falls, Oregon, 97601. The Return of Service is attached hereto.

On February 22, 1982, I mailed to Patrick G. Huycke, by certified mail - return receipt requested, true copies of the Notice of Default and Election to Sell and the Trustee's Notice of Sale. He accepted service of these documents on behalf of George C. Chandler and Lucille Chandler on March 1,

82 MAR 19 PM 12 19

3001

1982. His Acceptance of Service is attached hereto.

On February 22, 1982, I mailed to William L. Sise-
more, by certified mail - return receipt requested, true copies
of the Notice of Default and Election to Sell and the Trustee's
Notice of Sale. He accepted service of these documents on
behalf of Town and Country Mortgage and Investment Co. and
Robert B. Kennedy on February 25, 1982. His Acceptance of
Service is attached hereto.

The real property described in the Deed of Trust
referred to above is fully described as follows:

(See Attached Exhibit "B")

* Robert W. Palmer, an attorney who is an active
member of the Oregon State Bar, was appointed Successor
Trustee by a certain instrument dated January 19, 1982,
recorded January 29, 1982, in Volume M82, Page 1198, of the
Mortgage Records of Klamath County, Oregon and is thereby
vested with all powers of said former Trustee.

Valerie D. Fisher
Valerie D. Fisher

Subscribed and sworn to before me this 9th day of
March, 1982.



AFTER RECORDING, RETURN TO:
Valerie D. Fisher
Lindsay, Hart, Neil & Weigler
111 S.W. Columbia, Suite 700
Portland, Oregon 97201

Susan K. Over
Notary Public for Oregon
My commission expires: 11/15/82

EXHIBIT "A"

* The beneficiary's interest of Security Savings and Loan Association was acquired by American Savings and Loan Association, a Utah corporation, by Assignment of Beneficial Interest in Trust Deeds and Mortgages dated May 22, 1981, recorded May 29, 1981, in Volume M81, Page 9603 of the Mortgage Records of Klamath County, Oregon. Accordingly, Willamette Savings & Loan Association, a Division of American Savings and Loan Association, is now the beneficiary.

EXHIBIT "B"

That portion of Lot 15 in Block 42 of HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, and that portion of Block 1A of WILLIAMS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, according to the duly recorded plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is the Southeasterly corner of said Lot 15 in Block 42, Hot Springs Addition to the City of Klamath Falls, Oregon, and also the Northeasterly corner of Block 1A of Williams Addition to said City and running thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 66.7 feet to a point which is the Southeasterly corner of said Block 1A; thence North 66° 05' West along the Southwesterly boundary of said Block 1A a distance of 117.0 feet to a point; thence North 41° 20' East, a distance of 20.9 feet to a point that is on the boundary line between said Lot 15 and said Block 1A mentioned above; thence continuing on the same bearing a distance of 73 feet to a point on the Easterly line of said Lot 15; thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 59.5 feet to the point of beginning.

RETURN OF SERVICE

3004

STATE OF OREGON)
) ss.
County of Klamath)

Court Case No. _____

I hereby certify that on FEBRUARY 25 1982 the within:

- () Summons & Complaint () Summons & Petition () Summons () Complaint () Petition
() Subpoena () Citation () Order () Motion () Affidavit
() Small Claim () Restraining Order () Show Cause Order () Notice

(4) NOTICE of Default & Election TO SELL

for service on the within named: ROBERT Whisler

(4) SERVED ROBERT Whisler personally and in person.

at 220 Pacific Terrace, Klamath Falls, OR 97601

() SUBSTITUTE SERVICE-By leaving a true copy with _____
a person over the age of fourteen years, who resides at the place of abode of within
named, at said abode: _____

() OFFICE SERVICE-By leaving a true copy with _____
the person in charge of the office maintained for the conduct of business by

() By leaving a true copy with _____ of said corporation.

() OTHER METHOD _____

() NOT FOUND. After due and diligent search and inquiry, I hereby return that I have
been unable to find the within named: _____
within Klamath County.

All search and service was made within Klamath County, State of Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: 2-25-82 6:10 PM

By

Paul Wood
Paul Wood

ACCEPTANCE OF SERVICE

I, William L. Sisemore, hereby acknowledge receipt of timely service of a true copy of the Notice of Default and Election to Sell, the Trustee's Notice of Sale and certified mail service on behalf of Town and Country Mortgage and Investment Co. and Robert B. Kennedy.

I am their attorney and am authorized to accept this service on their behalf as personal service on them.

Copies of the said documents are attached hereto showing the description of the Trust Deed involved herein.

William L. Sisemore
William L. Sisemore

Subscribed and sworn to before me this 25th day of Feb, 1982.

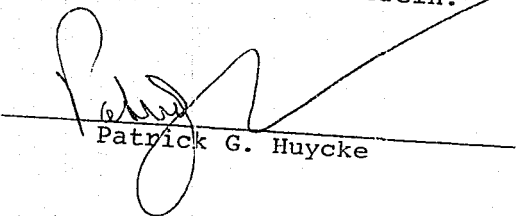
Charles M. Farney
Notary Public for Oregon
My commission expires 2-5-85

ACCEPTANCE OF SERVICE

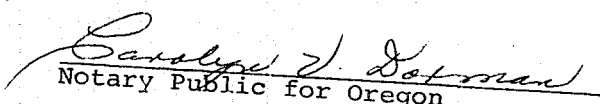
I, Patrick G. Huycke, hereby acknowledge receipt of timely service of a true copy of the Notice of Default and Election to Sell, the Trustee's Notice of Sale and certified mail service on behalf of George C. Chandler and Lucille Chandler.

I am their attorney and am authorized to accept this service on their behalf as personal service on them.

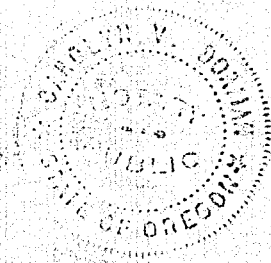
Copies of the said documents are attached hereto showing the description of the Trust Deed involved herein.


Patrick G. Huycke

Subscribed and sworn to before me this 15 day
of March, 1982.


Notary Public for Oregon

My commission expires 2-16-86



TRUSTEE'S NOTICE OF SALE

3007



Reference is made to that certain trust deed made, executed and delivered by Brian O'Maicin D. L. Hoots * as grantor, to obligations in favor of Security Savings and Loan Association (**See Sch. A) as trustee, to secure certain dated October 21, 19 77, recorded October 21, 19 77, in the mortgage records of Klamath County, Oregon, in ~~book~~ volume No. M77, at page 20255, ~~of~~ the ~~trust deed~~ covering the following described real property situated in said county and state, to-wit:

See Schedule B attached.

* Robert W. Palmer, an attorney who is an active member of the Oregon State Bar, was appointed Successor Trustee by a certain instrument dated January 19, 1982, recorded January 29, 1982, in Volume M82, Page 1198, of the Mortgage Records of Klamath County, Oregon and is hereby vested with all powers of said former Trustee. Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

\$205.63 due August 1, 1981
\$205.63 due September 1, 1981
\$205.63 due October 1, 1981
\$205.63 due November 1, 1981
\$205.63 due December 1, 1981
\$205.63 due January 1, 1982
Plus \$20.55 late charges.

Additional events of default are the failure to pay 1980-81 taxes, plus interest, and 1981-82 taxes, plus interest.

By reason of said default the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following, to-wit:

\$23,371.91, together with interest thereon at the rate of 9.00 percent per annum from July 1, 1981, until paid, less balance, if any, in the loan trust fund account at the time of sale, plus unpaid taxes, if any, plus interest.

A notice of default and election to sell and to foreclose was duly recorded February 11, 1982, in Vol. M82 at page 1808 of said mortgage records, reference thereto hereby being expressly made. WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Wednesday, the 7th day of July, 1982, at the hour of 1:00 o'clock, P. M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Main Entrance of Klamath County Courthouse, Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 any other person owing an obligation, the performance of which is secured by said trust deed, and their successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the trust deed.

DATED at Portland, Oregon, February 19th, 19 82.

/s/ Robert W. Palmer
Successor Trustee

State of Oregon, County of Multnomah, ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee; that I have carefully compared the foregoing copy of trustee's notice of sale with the original thereof and that the foregoing is a true, correct and exact copy of the original trustee's notice of sale and of the whole thereof.

DATED at Portland, Oregon, this 19th day of February, 19 82.

V. Fisher
Attorney for said Trustee

SCHEDULE A

* The beneficiary's interest of Security Savings and Loan Association was acquired by American Savings and Loan Association, a Utah corporation, by Assignment of Beneficial Interest in Trust Deeds and Mortgages dated May 22, 1981, recorded May 29, 1981, in Volume M81, Page 9603 of the Mortgage Records of Klamath County, Oregon. Accordingly, Willamette Savings & Loan Association, a Division of American Savings and Loan Association, is now the beneficiary.

SCHEDULE B

That portion of Lot 15 in Block 42 of HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, and that portion of Block 1A of WILLIAMS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, according to the duly recorded plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is the Southeasterly corner of said Lot 15 in Block 42, Hot Springs Addition to the City of Klamath Falls, Oregon, and also the Northeasterly corner of Block 1A of Williams Addition to said City and running thence South $20^{\circ} 55'$ East along the Southwesterly line of Pacific Terrace, a distance of 66.7 feet to a point which is the Southeasterly corner of said Block 1A; thence North $66^{\circ} 05'$ West along the Southwesterly boundary of said Block 1A a distance of 117.0 feet to a point; thence North $41^{\circ} 20'$ East, a distance of 20.9 feet to a point that is on the boundary line between said Lot 15 and said Block 1A mentioned above; thence continuing on the same bearing a distance of 73 feet to a point on the Easterly line of said Lot 15; thence South $20^{\circ} 55'$ East along the Southwesterly line of Pacific Terrace, a distance of 59.5 feet to the point of beginning.

NOTICE OF DEFAULT AND ELECTION TO SELL

ORIGINAL FILED 3010

Brian O'Maicin made, executed and delivered to D. L. Hoots *, as grantor, to secure the performance of certain obligations including the payment of the principal sum of \$ 24,480.00, as trustee, in favor of Security Savings and Loan Association (** See Sch. A), as beneficiary, that certain trust deed dated October 21, 1977, and recorded October 21, 1977, in B201/222/Volume No. M77 at page 20255, covering the following described real property situated in said county: Klamath County, Oregon,

See Schedule B attached.

* Robert W. Palmer, an attorney who is an active member of the Oregon State Bar, was appointed Successor Trustee by a certain instrument dated January 19, 1982, recorded January 29, 1982, in Volume M82, Page 1198, of the Mortgage Records of Klamath County, Oregon, and is hereby vested with all powers of said former Trustee.

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:

- \$205.63 due August 1, 1981
- \$205.63 due September 1, 1981
- \$205.63 due October 1, 1981
- \$205.63 due November 1, 1981
- \$205.63 due December 1, 1981
- \$205.63 due January 1, 1982
- Plus \$20.55 late charges.

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the foreclosure mentioned below is made. An additional event of default is the failure to pay 1980-81 taxes, plus interest, and failure to pay 1981-82 taxes, plus interest.

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:

\$23,371.91, together with interest thereon at the rate of 9.00 percent per annum from July 1, 1981, until paid, less balance, if any, in the loan trust fund account at the time of sale., plus unpaid taxes, if any, plus interest.

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 July 7, 1982, at the following place: Main Entrance of Klamath 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:

NAME AND LAST KNOWN ADDRESS

NATURE OF RIGHT, LIEN OR INTEREST

See Schedule C attached.

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: February 3, 1982

/s/ Robert W. Palmer

Successor Trustee

~~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.)

(ORS 93.490)

STATE OF OREGON,

County of Multnomah

February 3, 1982

Personally appeared the above named

Robert W. Palmer

and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

(OFFICIAL SEAL)

/s/ Debra A. Brakebush

Notary Public for Oregon

My commission expires: 9/7/84

STATE OF OREGON, County of

) ss.

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

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

Brian O'Maicin

Grantor

TO

Successor

Robert W. Palmer

Trustee

AFTER RECORDING RETURN TO

Valerie D. Fisher
111 S.W. Columbia, #700
Portland, Oregon 97201

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,

County of) ss.

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

Witness my hand and seal of County affixed.

By _____ TITLE Deputy

SCHEDULE A

* The beneficiary's interest of Security Savings and Loan Association was acquired by American Savings and Loan Association, a Utah corporation, by Assignment of Beneficial Interest in Trust Deeds and Mortgages dated May 22, 1981, recorded May 29, 1981, in Volume M81, Page 9603 of the Mortgage Records of Klamath County, Oregon. Accordingly, Willamette Savings & Loan Association, a Division of American Savings and Loan Association, is now the beneficiary.

SCHEDULE B

That portion of Lot 15 in Block 42 of HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, and that portion of Block 1A of WILLIAMS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, according to the duly recorded plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is the Southeasterly corner of said Lot 15 in Block 42, Hot Springs Addition to the City of Klamath Falls, Oregon, and also the Northeasterly corner of Block 1A of Williams Addition to said City and running thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 66.7 feet to a point which is the Southeasterly corner of said Block 1A; thence North 66° 05' West along the Southwesterly boundary of said Block 1A a distance of 117.0 feet to a point; thence North 41° 20' East, a distance of 20.9 feet to a point that is on the boundary line between said Lot 15 and said Block 1A mentioned above; thence continuing on the same bearing a distance of 73 feet to a point on the Easterly line of said Lot 15; thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 59.5 feet to the point of beginning.

SCHEDULE C

<u>Name and Last Known Address</u>	<u>Nature of Right, Lien or Interest</u>
Brian O'Maicin 303 S. 5th Klamath Falls, Oregon 97601	Grantor.
Brian O'Maicin P. O. Box 1365 Klamath Falls, Oregon 97601	Grantor.
Brian O'Maicin 220 Pacific Terrace Klamath Falls, Oregon 97601	Grantor.
Robert Whisler 220 Pacific Terrace Klamath Falls, Oregon 97601	Occupant.
Town and Country Mortgage and Investment Co. c/o William L. Sisemore, Esq. First Federal Building 540 Main Street Klamath Falls, Oregon 97601	Beneficiary in a Trust Deed recorded July 14, 1980, in Volume M80, Page 12989, Klamath County.
Robert B. Kennedy c/o William L. Sisemore, Esq. First Federal Building 540 Main Street Klamath Falls, Oregon 97601	Assignee of the beneficial interest in the foregoing Trust Deed recorded July 14, 1980, in Volume M80, Page 12992, Klamath County.
George C. Chandler c/o Patrick G. Huycke, Esq. Suite 204 132 West Main Street Medford, Oregon 97501	Beneficiary under a Trust Deed recorded July 29, 1980, in Volume M80, Page 13973.
Lucille L. Chandler c/o Patrick G. Huycke, Esq. Suite 204 132 West Main Street Medford, Oregon 97501	Beneficiary under a Trust Deed recorded July 29, 1980, in Volume M80, Page 13973.
Secured Financial Investments P. O. Box 4744 Medford, Oregon 97501	Notice of Default recorded July 29, 1980, Volume M80, Page 13972.

TRUSTEE'S NOTICE OF SALE

3015

Reference is made to that certain trust deed made, executed and delivered by Brian O'Maicin, as grantor, to D. L. Hoots *, as trustee, to secure certain obligations in favor of Security Savings and Loan Association (**See Sch. A), as beneficiary, dated October 21, 19 77, recorded October 21, 19 77, in the mortgage records of Klamath County, Oregon, in ~~book~~ volume No. M77, at page 20255, ~~xxx~~ covering the following described real property situated in said county and state, to-wit:

See Schedule B attached.

* Robert W. Palmer, an attorney who is an active member of the Oregon State Bar, was appointed Successor Trustee by a certain instrument dated January 19, 1982, recorded January 29, 1982, in Volume M82, Page 1198, of the Mortgage Records of Klamath County, Oregon and is hereby vested with all powers of said former Trustee. Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

\$205.63 due August 1, 1981
\$205.63 due September 1, 1981
\$205.63 due October 1, 1981
\$205.63 due November 1, 1981
\$205.63 due December 1, 1981
\$205.63 due January 1, 1982
Plus \$20.55 late charges.

Additional events of default are the failure to pay 1980-81 taxes, plus interest, and 1981-82 taxes, plus interest.

By reason of said default the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following, to-wit:

\$23,371.91, together with interest thereon at the rate of 9.00 percent per annum from July 1, 1981, until paid, less balance, if any, in the loan trust fund account at the time of sale, plus unpaid taxes, if any, plus interest.

Vol.

A notice of default and election to sell and to foreclose was duly recorded February 11, 19 82, in ~~book~~ M82 at page 1808 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Wednesday, the 7th day of July, 19 82, at the hour of 1:00 o'clock, P.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Main Entrance of Klamath County Courthouse in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 any other person owing an obligation, the performance of which is secured by said trust deed, and their successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the trust deed.

DATED at Portland, Oregon, February 19th, 19 82.

/s/ Robert W. Palmer

Successor Trustee

State of Oregon, County of Multnomah, ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee; that I have carefully compared the foregoing copy of trustee's notice of sale with the original thereof and that the foregoing is a true, correct and exact copy of the original trustee's notice of sale and of the whole thereof.

DATED at Portland, Oregon, this 19th day of February, 19 82.

J. Fisher
Attorney for said Trustee

SCHEDULE A

* The beneficiary's interest of Security Savings and Loan Association was acquired by American Savings and Loan Association, a Utah corporation, by Assignment of Beneficial Interest in Trust Deeds and Mortgages dated May 22, 1981, recorded May 29, 1981, in Volume M81, Page 9603 of the Mortgage Records of Klamath County, Oregon. Accordingly, Willamette Savings & Loan Association, a Division of American Savings and Loan Association, is now the beneficiary.

SCHEDULE B

That portion of Lot 15 in Block 42 of HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, and that portion of Block 1A of WILLIAMS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, according to the duly recorded plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is the Southeasterly corner of said Lot 15 in Block 42, Hot Springs Addition to the City of Klamath Falls, Oregon, and also the Northeasterly corner of Block 1A of Williams Addition to said City and running thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 66.7 feet to a point which is the Southeasterly corner of said Block 1A; thence North 66° 05' West along the Southwesterly boundary of said Block 1A a distance of 117.0 feet to a point; thence North 41° 20' East, a distance of 20.9 feet to a point that is on the boundary line between said Lot 15 and said Block 1A mentioned above; thence continuing on the same bearing a distance of 73 feet to a point on the Easterly line of said Lot 15; thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 59.5 feet to the point of beginning.

NOTICE OF DEFAULT AND ELECTION TO SELL

TRUE COPY
3018

Brian O'Maicon
made, executed and delivered to D. L. Hoots *, as grantor,
to secure the performance of certain obligations including the payment of the principal sum of \$ 24,480.00, as trustee,
in favor of Security Savings and Loan Association (** See Sch. A)
that certain trust deed dated October 21, 1977, and recorded October 21, 1977, as beneficiary,
in Volume No. M77 at page 20255
covering the following described real property situated in said county: Klamath County, Oregon,
See Schedule B attached.

* Robert W. Palmer, an attorney who is an active member of the Oregon State Bar, was appointed Successor Trustee by a certain instrument dated January 19, 1982, recorded January 29, 1982, in Volume M82, Page 1198, of the Mortgage Records of Klamath County, Oregon, and is hereby vested with all powers of said former Trustee.

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:

\$205.63 due August 1, 1981
\$205.63 due September 1, 1981
\$205.63 due October 1, 1981
\$205.63 due November 1, 1981
\$205.63 due December 1, 1981
\$205.63 due January 1, 1982
Plus \$20.55 late charges.

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the foreclosure mentioned below is made. An additional event of default is the failure to pay 1980-81 taxes, plus interest, and failure to pay 1981-82 taxes, plus interest.

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:

\$23,371.91, together with interest thereon at the rate of 9.00 percent per annum from July 1, 1981, until paid, less balance, if any, in the loan trust fund account at the time of sale., plus unpaid taxes, if any, plus interest.

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 July 7, 1982, at the following place: Main Entrance of Klamath 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:

NAME AND LAST KNOWN ADDRESS
See Schedule C attached.

NATURE OF RIGHT, LIEN OR INTEREST

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: February 3, 1982 /s/ Robert W. Palmer
Successor Trustee

(If executed by a corporation,
affix corporate seal)

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

(ORS 93.490)

STATE OF OREGON,

County of Multnomah
February 3, 1982

Personally appeared the above named

Robert W. Palmer

and acknowledged the foregoing instrument to be
his voluntary act and deed.

Before me:

(OFFICIAL SEAL) /s/ Debra A. Brakebush

Notary Public for Oregon

My commission expires: 9/7/84

STATE OF OREGON, County of

Personally appeared

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

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 SEIL

(FORM No. 884)

STEVEN H. NESS LAW PUB. CO., PORTLAND, ORE.

RE TRUST DEED

Brian O'Maicin

Grantor

TO Successor

Robert W. Palmer

Trustee

AFTER RECORDING RETURN TO

Valerie D. Fisher
111 S.W. Columbia, #700
Portland, Oregon 97201

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of 19

at o'clock M., and recorded in book reel volume No. on page or as document/fee/file/instrument/microfilm No.

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By

Deputy

SCHEDULE A

* The beneficiary's interest of Security Savings and Loan Association was acquired by American Savings and Loan Association, a Utah corporation, by Assignment of Beneficial Interest in Trust Deeds and Mortgages dated May 22, 1981, recorded May 29, 1981, in Volume M81, Page 9603 of the Mortgage Records of Klamath County, Oregon. Accordingly, Willamette Savings & Loan Association, a Division of American Savings and Loan Association, is now the beneficiary.

SCHEDULE B

That portion of Lot 15 in Block 42 of HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, and that portion of Block 1A of WILLIAMS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, according to the duly recorded plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is the Southeasterly corner of said Lot 15 in Block 42, Hot Springs Addition to the City of Klamath Falls, Oregon, and also the Northeasterly corner of Block 1A of Williams Addition to said City and running thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 66.7 feet to a point which is the Southeasterly corner of said Block 1A; thence North 66° 05' West along the Southwesterly boundary of said Block 1A a distance of 117.0 feet to a point; thence North 41° 20' East, a distance of 20.9 feet to a point that is on the boundary line between said Lot 15 and said Block 1A mentioned above; thence continuing on the same bearing a distance of 73 feet to a point on the Easterly line of said Lot 15; thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 59.5 feet to the point of beginning.

SCHEDULE C

Name and Last Known Address

Nature of Right, Lien or Interest

Brian O'Maicin
303 S. 5th
Klamath Falls, Oregon 97601

Grantor.

Brian O'Maicin
P. O. Box 1365
Klamath Falls, Oregon 97601

Grantor.

Brian O'Maicin
220 Pacific Terrace
Klamath Falls, Oregon 97601

Grantor.

Robert Whisler
220 Pacific Terrace
Klamath Falls, Oregon 97601

Occupant.

Town and Country Mortgage
and Investment Co.
c/o William L. Sisemore, Esq.
First Federal Building
540 Main Street
Klamath Falls, Oregon 97601

Beneficiary in a Trust Deed
recorded July 14, 1980, in Volume
M80, Page 12989, Klamath County.

Robert B. Kennedy
c/o William L. Sisemore, Esq.
First Federal Building
540 Main Street
Klamath Falls, Oregon 97601

Assignee of the beneficial interest
in the foregoing Trust Deed
recorded July 14, 1980, in Volume
M80, Page 12992, Klamath County.

George C. Chandler
c/o Patrick G. Huycke, Esq.
Suite 204
132 West Main Street
Medford, Oregon 97501

Beneficiary under a Trust Deed
recorded July 29, 1980, in Volume
M80, Page 13973.

Lucille L. Chandler
c/o Patrick G. Huycke, Esq.
Suite 204
132 West Main Street
Medford, Oregon 97501

Beneficiary under a Trust Deed
recorded July 29, 1980, in Volume
M80, Page 13973.

Secured Financial Investments
P.O. Box 4744
Medford, Oregon 97501

Notice of Default recorded
July 29, 1980, Volume M80,
Page 13972.

Suite 700 Columbia Sq/111 SW Columbia/Portland, OR 97201

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the
10 day of March A.D., 1982 at 12:19 o'clock P M., and duly recorded in
Vol M 82, of Mtge on page 3000.

Fee \$92.00

EVELYN BIEHN

COUNTY CLERK

By *Joyce M. Thurn* deputy