

CE

14207

## NOTICE OF DEFAULT AND ELECTION TO SELL

JAMES N. KOEHLER, 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 \$ 5,850.00  
 in favor of Wells Fargo Realty Services, Inc., a California Corporation, as beneficiary,  
 that certain trust deed dated April 15, 1978, and recorded May 18, 1978,  
 in Book/Reel/Volume No. M-78 at page 10398, ~~was Document, Deed, Note, Instrument, or Trust~~  
 No. XXXXXXXXXXXXXXX (indicate which) of the mortgage records of Klamath County, Oregon,  
 covering the following described real property situated in said county:

Lot 15 in Block 21 of Tract 1113—Oregon Shores—Unit 2 as shown on the map filed on  
 December 9, 1977 in Volume 21, Page 20 of Maps in the office of the County Recorder  
 of said County.

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 of principal and  
 interest due March, April, May, June and July, 1982 in the amount of \$66.79 each; and  
 subsequent installments in like amounts; and subsequent installments of assessment dues  
 under the terms and provisions of the Note and Deed of Trust, \$20.00 of which is now due  
 and payable

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the fore-  
 closure 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: \$4,397.21 plus interest thereon from  
 February 1, 1982 at the rate of (8.0%) EIGHT PERCENT PER ANNUM UNTIL PAID, and all  
 sums expended by the Beneficiary pursuant to the terms and provisions of the Note and  
 Deed of Trust

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 November 30, 1982, at the following place: at the front entrance  
 to 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 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

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: August 3, 1982

(If executed by a corporation, affix corporate seal)

TRANSAMERICA TITLE INSURANCE COMPANY, INC.  
By: *[Signature]* Trustee  
By: *[Signature]* Beneficiary  
(State which)

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

(ORS 93.490)

STATE OF OREGON,

County of \_\_\_\_\_ ss.

, 1982

Personally appeared the above named \_\_\_\_\_

and acknowledged the foregoing instrument to be \_\_\_\_\_  
voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

STATE OF OREGON, County of Klamath ss.  
August 3, 1982

Personally appeared Andrew A. Patterson and \_\_\_\_\_

who, being duly sworn, did say that the foregoing is the \_\_\_\_\_  
he \_\_\_\_\_

Assistant

Insurance Co.

and 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: 2/14/85

(OFFICIAL SEAL)

# NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

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

## RE TRUST DEED

Koehler Grantor

TO

Transamerica Title Trustee

AFTER RECORDING RETURN TO

T/A - Julie

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, County of Klamath ss.

I certify that the within instrument was received for record on the 3 day of August, 1982, at 8:36 o'clock P.M., and recorded in book/reel/volume No. M-82 on page 9955 or as document/fee/file/instrument/microfilm No. 14207, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn County Clerk

By *[Signature]* Deputy  
Fee \$8.00