

OE

14481

## NOTICE OF DEFAULT AND ELECTION TO SELL

DAVID ROBINSON, also known as DAVID J. ROBINSON and BARBARA CUMING, \*\*\*\*\* 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 \$ 4,500.00 in favor of Wells Fargo Realty Services, Inc., a California Corporation, as beneficiary, that certain trust deed dated May 4, 1978, and recorded August 16, 1978, in Book/Reel/Volume No. M-78 at page 17994 ~~appears as Document/Deed/Trust Agreement, Mortgage~~ No. ~~XXXXXXXXXXXX~~ of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county:

Lot 1 in Block 26 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.

\*\*\*\*\*also known as BARBARA N. CUMING,

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 December, 1981, January, February, March, April, May, June and July, 1982 in the amount of \$54.60 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

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: \$3,382.43 plus interest thereon from November 3, 1981 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 December 14, 1982, at the following place: front entrance 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 grantor or of any lessee or other person in possession of or occupying the property, except:

## NAME AND LAST KNOWN ADDRESS

G. ROBERT LECKLIDER & NANCY C. LECKLIDER  
3524 Pine Grove Road, K. Falls, OR 97601

John Ketarbus & Doris Ketarbus, doing business as  
Jefferson State Janitorial  
P. O. Box 1362, K. Falls, OR 97601

State of Oregon, Department of Revenue  
403 Pine, K. Falls, OR 97601

South Valley State Bank  
5215 South 6th Street, K. Falls, OR 97601

Simlog Leasing Co.  
c/o Schwabe, Williamson, Wyatt, Moore & Roberts  
1200 Standard Plaza 1100 SW 6th, Portland, OR 97204

Frederick D. Ehlers & Helen Ann Ehlers  
Route 5, Box 1403 Sunset Beach, K. Falls, OR 97601

## NATURE OF RIGHT, LIEN OR INTEREST

Present record owner

Judgment

Judgment

Judgment

Judgment

Suit Pending

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 11, 1982

(If executed by a corporation,  
affix corporate seal)

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

STATE OF OREGON, ) ss.

County of \_\_\_\_\_, 19\_\_\_\_

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:

(ORS 93.490)

STATE OF OREGON, County of Klamath ) ss.  
August 11, 1982

Personally appeared Andrew A. Patterson, who, being duly sworn,  
did say that he is the President and 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.

he, \_\_\_\_\_, 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: 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

Robinson & Cuming Grantor  
TO

Transamerica Title Trustee

AFTER RECORDING RETURN TO

T/A - Julie

SPACE RESERVED  
FOR  
RECORDER'S USE

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

I certify that the within instrument was received for record on the 11 day of August, 1982, at 3:40 o'clock P.M., and recorded in book/reel/volume No. M 82 on page 10363 or as document/file/instrument/microfilm No. 14481. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn County Clerk

By Joyce M. Dine Deputy  
Fee \$8.00