

16182

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 1182 Page 13406

CHESTER FRANKLIN PROCTOR and MARTHA YVONNE PROCTOR, as grantor,  
made, executed and delivered to WILLIAM L. SISEMORE, as trustee,  
to secure the performance of certain obligations including the payment of the principal sum of \$ 23,700.00  
in favor of GEORGE E. MCMAHAN and MARGARET M. WOODY, as beneficiary,  
that certain trust deed dated July 29, 19 80, and recorded July 31, 19 80  
in Book/Reel/Volume No. M80 at page 14264 or as Document/Fee/File/Instrument/Microfilm  
No. (Indicate which) of the mortgage records of \_\_\_\_\_ County, Oregon,  
covering the following described real property situated in said county:

More particularly described in Exhibit A attached hereto  
and by this reference made a part hereof,

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 in the event of default of such provision, in that the  
grantor has failed to pay, when due, the following sums thereon:

\$23,700 due on August 30, 1982

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:

\$23,700 due on August 30, 1982

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 o'clock, A.M., Standard Time, as established by Section  
187.110 of Oregon Revised Statutes on March 16, 1982, at the following place: 316 Main Street,  
Klamath County Courthouse steps, 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

William J. Schermer

Sub-vendee

Mary Margaret Hanson

1022 Washington Street

Klamath Falls, OR 97601

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: October 6, 1982

Beneficiary

(If executed by a corporation, affix corporate seal)

Trustee

Beneficiary

(State which)

Beneficiary

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

(ORS 93.490)

STATE OF OREGON,

STATE OF OREGON, County of

ss.

County of Klamath

October 6, 1982

Personally appeared the above named

George F. McManan & Margaret M. Woody

Woody

and acknowledged the foregoing instrument to be

their voluntary act and deed.

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: 7-11-86

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

## NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 854)

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

### RE TRUST DEED

Chester Franklin Proctor and

Martha Yvonne Proctor Grantor

TO

Neal G. Buchanan

Successor

Trustee

RECORDER'S USE

AFTER RECORDING RETURN TO:

Michael C. Miller

210 North Fourth

Klamath Falls, OR 97601

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 Deputy

14266

A portion of the Westerly end of Lot "A" of the resubdivision, plat of Lots 1, 2, 7 and 8, Block 45, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, in the County of Klamath, State of Oregon, described as follows:

Beginning on the Southerly line of Washington Street (formerly Canal Street) at the most Westerly corner of said Lot "A"; thence Southeasterly along the Westerly line of said Lot "A" forty-five feet, more or less, to the most Southerly corner of said Lot "A"; thence Northeasterly along the line between Lots "A" and "B" of said Block 38 feet; thence Northwesterly to a point on the South line of Washington Street, 40 feet Northeasterly from the point of beginning; thence Southwesterly along said Southerly line of Washington Street, 40 feet to the place of beginning.

And a strip of land off the Northeast corner of Lot 6, Block 45 in NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, in the County of Klamath, State of Oregon, described as follows:

Beginning on the Southerly line of Washington Street (formerly Canal Street) at the intersection with the Southerly line of said street and the Easterly line of said Lot 6; thence Southerly along the said Easterly line of Lot 6, Ninety feet; thence Westerly at right angles 11 feet; thence Northerly and parallel with the Easterly line of said Lot 6 to Washington Street; thence Easterly along Washington Street to the point of beginning.

Exhibit A

State of OREGON: COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the

6 day of Oct A.D., 1982 at 4:03 o'clock P.M., and duly recorded in

Vol M 82f Mtge on page 13406.

EVELYN BIEHN  
COUNTY CLERK

Fee \$ 12.00

By *Jay McDavid* deputy