

17693

## NOTICE OF DEFAULT AND ELECTION TO SELL

Page 16303

CLIFFORD E. SHELBY AND EFFIE LORENE SHELBY, HUSBAND AND WIFE  
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 \$ 42,000.00, as trustee,  
in favor of SECURITY SAVINGS AND LOAN ASSOCIATION, as beneficiary,  
that certain trust deed dated August 27, 19 80, and recorded September 4, 19 80  
in Book Entry Volume No. M80 at page 16742 or as DEPOSITED FOR SALE/REDEMPTION/REDEMPTION  
No. (indicate which) of the mortgage records of Klamath County, Oregon,  
covering the following described real property situated in said county:

Lot 3, Block 2, BRYANT TRACTS #2, in the County of Klamath, State of Oregon.

EXECUTION TO SELL  
NOTICE OF DEFAULT AND ELECTION TO SELL

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:

May 1, 1982	\$458.22
June 1, 1982	458.22
July 1, 1982	458.22
August 1, 1982	458.22
September 1, 1982	458.22
October 1, 1982	458.22
November 1, 1982	458.22
Late Charges	160.37

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:

Principal balance of \$41,392.00; plus unpaid interest accrued for April 1982 of \$431.72, May 1982 of \$431.17, June 1982 of \$431.17, July 1982 of \$431.17, August 1982 of \$431.17, September 1982 of \$429.76, October 1982 of \$429.86, plus additional accruing interest from 11-1-82 on the principal balance at the rate of 12.5% per annum; plus late charges of 4% of monthly installments not received within 15 days after the installment became due which late charges total \$160.37 as of 11-16-82; plus delinquent real property taxes due, if any, with interest, plus real property taxes due, 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 11:25 o'clock, A.M., Standard Time, as established by Section 187.110 of Oregon Revised Statutes on May 3, 19 83, at the following place: front steps 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.

BAC

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: November 29, 19 82

(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,

County of Multnomah

November 29, 19 82

Personally appeared the above named

Douglas E. Kaufman

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 4-11-86

BARBARA A. CLARK  
NOTARY PUBLIC - OREGON

My Commission Expires

(ORS 93.490)

STATE OF OREGON, County of

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

My commission expires:

(OFFICIAL SEAL)

## NOTICE OF DEFAULT AND ELECTION TO SELL

## RE TRUST DEED

Grantor

TO

Trustee

## AFTER RECORDING RETURN TO

Willamette Savings & Loan Assn.  
P.O. Box 5555  
Portland, OR 97228  
Attn: Legal Dept.

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 30 day of NOV., 19 82., at 3:40 o'clock P.M., and recorded in book/reel/volume No. MB2 on page 16303 or as document/fee/file/instrument/microfilm No. 17693, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn County Clerk

By *Evelyn Biehn* Deputy  
Fee \$8.00