

OE

19247

NOTICE OF DEFAULT AND ELECTION TO Sell MS2 Page 526

JEFFREY LYNN OGLESBY and DARLENE RAY OGLESBY, 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 \$10,000.00
 in favor of RICHARD EUGENE SCHMIT and BEVERLY JEAN HASSELL, as beneficiary,
 that certain trust deed dated October 22, 1981, and recorded November 25, 1981,
 in Book/RECORD No. M 81 at page 20453 or as Document/Fee/File/Instrument/Microfilm
 No. (indicate which) of the mortgage records of Klamath County, Oregon,
 covering the following described real property situated in said county:

Lot 41 of LAMRON HOMES, in the County of Klamath, State of Oregon.

TRANSAMERICA TITLE INSURANCE COMPANY HAS RESIGNED AND HAS BEEN
 REPLACED BY MICHAEL C. MILLER, SUCCESSOR TRUSTEE.

BEVERLY JEAN HASSELL HAS ASSIGNED HER INTEREST IN THE SUBJECT DEED OF
 TRUST TO CERTIFIED MORTGAGE COMPANY, AN OREGON CORPORATION ON
 DECEMBER 22, 1982.

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:

1. Failing to make the payments on the first mortgage in favor of
 the State of Oregon representing and acting by the Director of Veterans'
 Affairs;
2. Failing to pay \$101.43 due November 25, 1982;
3. Failing to pay \$101.43 due December 25, 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:

\$9,886.83

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 June 30, 1983, 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

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: January 11, 1983.

Successor Trustee

Michael C. Miller

XXXXXXXX

XXXXXXXX

(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 Klamath

January 11, 1983

Personally appeared the above named
Michael C. Millerand acknowledged the foregoing instrument to be
his voluntary act and deed.(OFFICIAL
SEAL)

Before me:

Wendy Newland

Notary Public for Oregon

My commission expires: 7/11/86

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 author-
ity 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. 844)

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

RE TRUST DEED

Jeffrey Lynn Oglesby

Darlene Ray Oglesby

Grantor

TO

Michael C. Miller Trustee

AFTER RECORDING RETURN TO

Michael C. Miller
210 North Fourth Street
Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,
County of Klamath) ss.

I certify that the within instru-
ment was received for record on the
11 day of Jan, 1983,
at 3:06 o'clock P. M., and recorded
in book/reel/volume No. M83 on
page 526 or as document fee file/
instrument/microfilm No. 19247
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