

22423

NOTICE OF DEFAULT AND ELECTION TO SELL Vol. 483 Page 5620

Reference is made to that certain trust deed made by FRED W. KOEHLER, JR.

TRANSAMERICA TITLE INSURANCE COMPANY, as grantor, to
 PERLA DEVELOPMENT CO., INC., an Arizona Corporation and RIVERWOOD
 REALTY CORP., a Washington Corporation & ISAAC SHACHORY, as trustee,
 dated September 25, 1981, recorded December 4, 1981, in the mortgage records of
 Klamath County, Oregon, in book/reel/volume No. M81 at page 20952, or as
 fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real
 property situated in said county and state, to-wit:

Government Lots 22, 27 and 30, and that portion of Lots 31 and 32 lying
 West of Highway No. 422, all in Section 8, Township 35 South, Range 7 East
 of the Willamette Meridian, in the County of Klamath, State of Oregon

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; 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 or other person owing an obligation, the performance of which is secured by
 said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of
 default of such provision; the default for which foreclosure is made is grantor's failure to pay when due the following
 sums:

Payment due November 15th, 1982 in the amount of \$8,775.00

By reason of said default, the beneficiary has declared all obligations secured by said trust deed immediately
 due and payable, said sums being the following, to-wit:

Amount due is \$98,775.00 with interest due from November 15, 1982 at 9 3/4%

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby
 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 prop-
 erty 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 the compensations of the trustee as pro-
 vided 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 August 19, 1983, at the following place: 540 Main Street
 Suite 204
 Klamath 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.

Book

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

None

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 to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date for said sale.

In construing this notice, 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 any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: April 12, 1983.

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

Trustee

Beneficiary /

(State which)

(ORS 93.490)

STATE OF OREGON,

County of Klamath

April 12, 1983

Personally appeared the above named

Timothy A. Bailey

and acknowledged the foregoing instrument to be

voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires: 9-20-85

STATE OF OREGON, County of

, 19

ss.

Personally appeared

who, being duly sworn, did say that he is the

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 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. 884)

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

Re: Trust Deed From

Grantor

To

Trustee

AFTER RECORDING RETURN TO

Crane & Bailey
540 Main Street - #204
Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

fee 8.00

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 14 day of April, 1983, at 8:50 o'clock A.M., and recorded in book/reel/volume No M83 on page 5620 or as fee/file/instrument/microfilm/reception No. 22423, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By: [Signature] Deputy