

24785

Vol. 183 Page 3628

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by ..... BARRY W. PURNELL, a single man  
 ..... WILLIAM SISEMORE, as grantor, to  
 in favor of ..... KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, as trustee,  
 dated ..... November 18, 1977, recorded ..... November 18, 1977, in the mortgage records of  
 Klamath County, Oregon, in book/reel/volume No. M77 at page 22561  
 for the purpose of securing the payment of the sum of ..... (indicate amount), covering the following described real  
 property situated in said county and state, to-wit: (re-recorded May 6, 1981, in Vol. M81 at page 20171)

Beginning at a point in the Westerly boundary of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, from which the section corner common to Sections 2, 3, 10 and 11 of said township and as marked on the ground by an iron pin driven therein bears North 0°13½' West 1920.0 feet distant; and running thence North 89°42' East, 300 feet, more or less, to a point in the center line of the U. S. Klamath Project No. 1 C-9-A Drain; thence Northerly along the center line of said drain to a point 150 feet North at right angles to the last course herein described; thence South 89°42' West a distance of 240 feet, more or less, to the Westerly boundary of said Section 11; thence South 0°13½' East along said Westerly boundary 150 feet to the said point of beginning, being a portion of the N½SW¼ of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, EXCEPTING THEREFROM that portion lying within the right of way of U.S.R.S. Drain.

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:

\$240.00 due November 25, 1982, and a like payment due on the 25th day of each month thereafter.

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:

\$22,418.51, plus interest.

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 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 the compensations of 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 ..... November 1, 1983, at the following place: ..... Room 204, 540 Main Street, ..... 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.

9629

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

Barry W. Purnell, Jr., Wendy S. Purnell and  
Brian G. Purnell  
c/o Robert S. Hamilton, Attorney at Law  
292 Main St., Klamath Falls, Or. 97601

NATURE OF RIGHT, LIEN OR INTEREST

Occupants

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: June 20, 1983

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

STATE OF OREGON,

County of Klamath

June 20, 1983

Personally appeared the above named

William L. Sisemore

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

(OFFICIAL SEAL)

Before me:

Notary Public for Oregon

My commission expires: 2-5-85

(ORS 93.490)

Trustee

Beneficiary

(Signature)

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

To Grantor

Trustee

AFTER RECORDING RETURN TO

William L. Sisemore  
540 Main Street  
Klamath Falls, Or. 97601

SPACE RESERVED  
FOR  
RECORDER'S USE

8.00 fee

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 20 day of June, 1983 at 4:37 o'clock P.M., and recorded in book/reel/volume No. M 83 on page 9628 or as fee/file/instrument/Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By Susan Lewis Deputy