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## TRUSTEE'S NOTICE OF SALE

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Reference is made to that certain trust deed made, executed and delivered by LUTHER H. DEARBORN and FRANCES B. DEARBORN as grantor, to Klamath County Title Company as trustee, to secure certain obligations in favor of LILLIAN P. PIERCE as beneficiary, dated April 25, 19 80, recorded April 25, 19 80, in the mortgage records of Klamath County, Oregon, in book ~~777~~ volume No. M-80 at page 7730, or as document/fee/file/instrument/microfilm No. (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 101, FIRST ADDITION TO CASITAS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

1) Shur-Way Contractors, Inc., a Oregon corporation, Successor in interest of grantors, by reason of Warranty Deed from LUTHER H. DEARBORN and FRANCES B. DEARBORN to SHUR-WAY CONTRACTORS, INC., dated August 13, 1981, and recorded August 13, 1981, in Book M-81, page 14471, records of Klamath County, Oregon.

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Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

Monthly payment due 9/15/81; 11/15/81; 1/15/82; 6/15/82; 12/15/82; 1/15/83; 2/15/83; 5/15/83; 6/15/83; 7/15/83; 8/15/83 and every month thereafter on the 15th at \$215.00 per month plus interest at ten percent (10%) per annum; plus unpaid property taxes of \$373.75 plus interest for 1982-1983 and \$316.00 plus interest for 1981-1982; plus the attorneys fees, trustee's fees, title report and other costs of this proceeding.

By reason of said default the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following, to-wit:

\$19,793.87 plus interest at ten percent (10%) per annum from July 27, 1983, until paid; plus property taxes of \$689.75 plus interest; for title report costs of \$135.00 and for attorneys fees, trustee's fees, and other costs related to this proceeding.

A notice of default and election to sell and to foreclose was duly recorded September 13, 19 83, in book M-83 at page 15694 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Wednesday, the 29th day of February, 19 84, at the hour of 11:30 o'clock, A. M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at 110 N. 6th Street, Suite 209 in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 any other person owing an obligation, the performance of which is secured by said trust deed, and their successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the trust deed.

DATED at Klamath Falls, Oregon, September 14, 19 83.

RETURN TO:

James R. Uerlings  
110 N. 6th Street, Suite 209  
Klamath Falls, OR 97601-6056

Successor Trustee

State of Oregon, County of \_\_\_\_\_, ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee; that I have carefully compared the foregoing copy of trustee's notice of sale with the original thereof and that the foregoing is a true, correct and exact copy of the original trustee's notice of sale and of the whole thereof.

DATED at \_\_\_\_\_, Oregon, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Attorney for said Trustee

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2) Beneficiary Interest assigned September 2, 1983, to NORMA G. BRISBON, as Trustee for ROBERT L. BAILEY, LILLIAN P. ALBUQUERQUE, MARIE ERICKSON, E. JAMES BAILEY, SHARON RISLEY and NORMA G. BRISBON recorded September 13, 1983, in Book M-83, Page 15691, records of Klamath County, Oregon

3) JAMES R. UERLINGS, appointed Successor Trustee on September 2, 1983, recorded in M-83, page 15693, in the records of Klamath County, Oregon, on September 13, 1983.

STATE OF OREGON, )  
County of Klamath )

Filed for record at request of

on this 24th day of Feb. A.D. 19 84  
at 2:58 o'clock P M, and duly  
recorded in Vol. M84 of Mortgages  
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EVELYN BIEHN, County Clerk

By Pamela H. Deputy

Fee 8.00