

36496

Vol. 1784 Page = 7800

AMERICAN TRUST COMPANY

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by LLOYD G. MURPHY and LOIS Y. MURPHY, husband and wife
 William L. Sisemore, as grantor, to
 Certified Mortgage Company, as trustee,
 in favor of
 dated July 21, 1983, recorded July 21, 1983, in the mortgage records of
 Klamath County, Oregon, in book/reel/volume No. M-83 at page 11666, or as
 fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real
 property situated in said county and state, to-wit:

Lot 6, Block 1, CYPRESS VILLA, 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:

Monthly installment payments in the sum of \$250.11 each which were due on December 21, 1983, and on January 21, February 21, March 21, and April 21, 1984; together with late payment charges in the amount of \$20.00.

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:

The principal sum of \$17,431.53 together with interest thereon at the rate of 16.0% per annum from November 21, 1983, until paid; plus late charges in the amount of \$20.00.

NOTE: The above said beneficiary has appointed William M. Ganong, Attorney at Law, 1151 Pine Street, Klamath Falls, Oregon 97601 as Successor Trustee.

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 September 13, 1984, at the following place: Front steps of the Klamath 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.

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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 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: May 9, 19 84

Successor, William M. Ganong
Trustee Beneficiary (State which)

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

STATE OF OREGON,
County of Klamath } ss.
May 9, 19 84
Personally appeared the above named
William M. Ganong
and acknowledged the foregoing instrument to be
his voluntary act and deed.

(ORS 93.490)

STATE OF OREGON, County of _____) 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:
(OFFICIAL SEAL) Barbara Benekas
Notary Public for Oregon
My commission expires:
8-22-87

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.
BARBARA P. BENEKAS
NOTARY PUBLIC - OREGON
My Commission Expires

Re: Trust Deed From _____ Grantor
To _____ Trustee

AFTER RECORDING RETURN TO

WILLIAM M. GANONG
ATTORNEY AT LAW
1111 ONE STREET
KLAMATH FALLS, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, _____) ss.
County of _____
I certify that the within instrument was received for record on the _____ day of _____, 19_____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____.
Record of Mortgages of said County.
Witness my hand and seal of County affixed.

NAME TITLE
By _____ Deputy

TN

APPOINTMENT OF SUCCESSOR TRUSTEE

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KNOW ALL MEN BY THESE PRESENTS, that LLOYD G. MURPHY and LOIS Y. MURPHY, husband and wife is the grantor, and William L. Sisemore is the trustee, and Certified Mortgage Company is the beneficiary under that certain trust deed dated July 21, 1983, and recorded on July 21, 1983, in book/reel/volume No. M-83 at page 11668 or as document/fee/file/instrument/microfilm No. of the Mortgage Records of Klamath County, Oregon.

The original trustee has ceased to act as trustee by reason of "otherwise"

(THE STATUTE RECOGNIZES ONLY THE FOLLOWING REASONS: DEATH, DISSOLUTION, INCAPACITY, DISABILITY, RESIGNATION OR OTHERWISE.)

the undersigned, who is the present beneficiary under said trust deed desires to appoint a new trustee in the place and stead of the original trustee named above;

NOW THEREFORE, in view of the premises, the undersigned hereby appoints William M. Ganong, 1151 Pine Street, Klamath Falls, Oregon, as successor trustee

under said trust deed, he to have all the powers of said original trustee, effective forthwith.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural.

IN WITNESS WHEREOF, the undersigned beneficiary has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: July 21, 1983, Certified Mortgage Company, an Oregon Corp.

By Richard H. Marlatt, President

(If executed by a corporation, affix corporate seal)

(If the beneficiary who signs above is a corporation, use the form of acknowledgment opposite.)

(ORS 93.490)

STATE OF OREGON

County of

ss.

Personally appeared the above named

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

(SEAL)

Before me:

Notary Public for Oregon

My commission expires:

CORPORATE ACKNOWLEDGMENT

STATE OF OREGON, County of Klamath ss.

April 30, 1984

Personally appeared Richard H. Marlatt

who being duly sworn, did say that he is the President of Certified Mortgage Company

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 on behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires: 11-10-86

(SEAL)

APPOINTMENT OF SUCCESSOR TRUSTEE

TO

AFTER RECORDING RETURN TO

William M. Ganong

Attorney at Law

1151 Pine Street

Klamath Falls OR 97601

(DON'T USE THIS SPACE, RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON,

County of Klamath ss.

I certify that the within instrument was received for record on the 10th day of May, 1984, at 1:18 o'clock PM., and recorded in book/reel/volume No. M84 on page 7800 or as document/fee/file/instrument/microfilm No. 36496. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Deputy

Fee: \$12.00