

CLERK OF DISTRICT COURT
 39429
 Klamath County, Oregon

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 184 Page 12995Reference is made to that certain trust deed made by RICHARD CARL ROATH

Transamerica Title Insurance Company, as grantor, to
 in favor of Certified Mortgage Company, as trustee,
 dated February 28, 1983, recorded February 28, 1983, as beneficiary,
Klamath County, Oregon, in book/reel/volume No. M-83, in the mortgage records of
 fee/file/instrument/microfilm/reception No. _____ at page 3025, or as
 property situated in said county and state, to-wit:

"See attached description."

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 installments in the amount of \$151.26, which were due and payable on November 1, and December 1, 1983, January 1, February 1, March 1, April 1, May 1, and June 1, 1984; together with late charges of \$62.64. Also taxes for 1983-84 in the amount of \$212.54, plus interest.

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:

Principal sum in the amount of \$6,198.62, together with interest thereon at the rate of 12.0% per annum from October 1, 1983, until paid. Also late charges in the amount of \$62.64.

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 December 10, 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.

ck
 12-00

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: July 18, 19 84

Successor Trustee

Beneficiary

(State which)

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

(ORS 93.490)

STATE OF OREGON,

County of Klamath

July 18, 19 84

Personally appeared the above named

William M. Ganong

and acknowledged the foregoing instrument to be

his voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Barbara Benches

Notary Public for Oregon

My commission expires: 8-22-87

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)

STATE OF OREGON,

County of

ss.

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

SPACE RESERVED FOR RECORDER'S USE

BARBARA BENCHES
NOTARY PUBLIC
My Commission Expires 8-22-87
STEVENS, 1000 E. 10TH ST., ASTORIA, OR.

Re: Trust Deed From

Grantor

To

Trustee

AFTER RECORDING RETURN TO
WILLIAM M. GANONG
ATTORNEY AT LAW
1150 PINE STREET
KLAMATH FALLS, OR 97601

EXHIBIT A

12997

The following described real property in Klamath County, Oregon:

A tract of land being a portion of Lots 11, 12 and 13 in Block 7 of NORTH BLV, more particularly described as follows:

Beginning at the most Northerly corner of Lot 11 of said Block 7; said point being on the Southerly boundary of the Klamath Falls-Lakeview Highway; thence Southwesterly along the Northerly boundary of said Lot 11, 159.0 feet to the most Westerly corner thereof; thence South $28^{\circ} 53'$ West along the Westerly boundary of said Lot 11, 64.2 feet to a point; thence South $89^{\circ} 52'$ East 106.1 feet to a point; thence South $1^{\circ} 13'$ West 50 feet to a point on the South line of said Lot 13; thence East along the South line of said Lot 13 to the West boundary of a tract of land conveyed to C. I. Svendsgaard, et ux., by deed recorded September 15, 1968 in Deed Book M-68 at page 8342; thence North $34^{\circ} 52'$ East to a point on the South boundary of the Klamath Falls-Lakeview Highway; thence Northwesterly along the Southerly boundary of said Highway to the point of beginning.

STATE OF OREGON,)

County of Klamath)

Filed for record at request of

on this 31 day of July A.D. 19 84
at 3:52 o'clock P M, and duly
recorded in Vol. M84 of Mortgages
Page 12995

EVELYN BIEHN, County Clerk

By Pam Smith, Deputy

Fee 12.00