

39871

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 184 Page

13673

Reference is made to that certain trust deed made by  
 DARRELL Q. FRUM and LAVENA H. FRUM  
 FIRST WESTERN TITLE COMPANY  
 in favor of GARY NYLAND and NANCIE NYLAND  
 dated August 21, 1981, recorded August 26  
 Klamath County, Oregon, in book/reel/volume No. M81, 1981, in the mortgage records of  
 fee/file/instrument/microfilm/reception No. 3636 (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

Lot 6 in Block 5, JACK PINE VILLAGE, according to  
 the official plat thereof on file in the office of  
 the County Clerk of Klamath County, Oregon.

TOGETHER with a 1974 12x60 New Moon Mobile Home,  
 Serial No. 12X6011805198.

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  
 instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action  
 has been instituted, such action 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:

\*\*\* SEE ATTACHED

By reason of said default, the beneficiary has declared all / all sums owing on the obligation  
 due and payable, said sums being the following, to-wit: secured by said trust deed immediately  
 \$21,431.15 plus accrued interest to November 30, 1983 of \$1,330.78; plus interest at  
 \$5.78 per diem from November 30, 1983, until paid; plus property taxes of \$514.85  
 plus interest; plus mobile home taxes of \$75.00 plus interest; plus Title Report  
 costs of \$175.00; attorney fees; trustees' fees; foreclosure costs and any sums  
 advanced by beneficiary pursuant to the terms of said trust deed.

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 11:30 o'clock, A.M., Standard Time as established by Section  
 187.110 of Oregon Revised Statutes on December 31, 1984, at the following place: 110 North Sixth  
 Street  
 Klamath County, Oregon, which is the hour, date and place fixed by the trustee for said sale.

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: August 8th, 1984

ROBERT D. BOIVIN

Successor Trustee

~~RECEIVED~~

(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

} ss.

August 8th, 1984

Personally appeared the above named

Robert D. Boivin

and acknowledged the foregoing instrument to be

his voluntary act and deed.

(OFFICIAL SEAL)

Before me, Susan Kay Way

Susan Kay Way  
Notary Public for Oregon  
My commission expires 6/4/1985

STATE OF OREGON, County of

} ss.

, 19

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

DARRELL O. FRUM and LAVENA

FRUM

Grantor

To

FIRST WESTERN TITLE COMPANY

Trustee

AFTER RECORDING RETURN TO BOIVIN &amp; BOIVIN, P.C.

110 North Sixth Street  
Klamath Falls, OR 97601

SPACE RESERVED FOR RECORDER'S USE

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

1000

3250 Deputy

\*\*\* ATTACHMENT TO NOTICE OF DEFAULT AND ELECTION TO SELL

13675

Balance of \$615.00 due March 15, 1983; Payment of \$1,215.00 due July 15, 1983;  
Balance of \$915.00 due November 15, 1983; Payment of \$1,215.00 due March 15, 1984;  
Payment of \$1,215.00 due July 15, 1984; plus accrued interest to November 30,  
1983, of \$1,330.78; together with interest at \$5.78 per diem on the unpaid balance;  
plus unpaid property taxes of \$171.97, plus interest, for 1981-82, unpaid property  
taxes of \$197.39, plus interest for 1982-83, unpaid property taxes of \$145.49, plus  
interest, for 1983-84 and mobile home taxes of \$75.00, plus interest, for 1983;  
plus attorney fees, trustees' fees, foreclosure costs and any sums advanced by  
beneficiary pursuant to the terms of said trust deed.

STATE OF OREGON, )  
County of Klamath )

Filed for record at request of

on this 8 day of Aug. A.D. 19 84  
at 12:40 o'clock P M, and duly  
recorded in Vol. M84 of Mortgages  
Page 13673

EVELYN BIEHN, County Clerk

By [Signature] Deputy

Fee 12.00