

OC

41681

TRUSTEE'S NOTICE OF SALE

Vol. 1884 Page 16788

Reference is made to that certain trust deed made by DAVID EUGENE CARMICHAEL

TRANSAMERICA TITLE INSURANCE COMPANY

in favor of RUBY I. NELSONdated September 12, 1980, recorded September 12, 1980, in the mortgage records of Klamath County, Oregon, in book/feet/volume No. M-80 at page 17362

fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real

property situated in said county and state, to-wit: A portion of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the Westerly line of Summers Lane which is South 89°26' West a distance of 30 feet and South 1°12' East a distance of 175.2 feet from the section corner common to Sections 2, 3, 10 and 11 of said Township and range for the true point of beginning; thence continuing along the Westerly line of Summers Lane, South 1°12' East a distance of 72.5 feet; running South 89°26' West a distance of 240 feet; thence North 1°

CONTINUED ON BACK...

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly installment payments in the amount of \$350.00 each which were due and payable from January 12, 1984, to date. Together with delinquent taxes in the sum of \$532.51, plus interest for 1982-83 and \$613.07, plus interest for 1983-84.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

The principal sum of \$38,311.74, together with interest at the rate of 10% per annum from December 12, 1983, until paid. Together with delinquent taxes in the sum of \$532.51, plus interest for 1982-83 and \$613.07, plus interest for 1983-84.

WHEREFORE, notice hereby is given that the undersigned trustee will on February 5, 1985, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the Front Entrance of the Klamath County Courthouse 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 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said Section 86.753 of Oregon Revised Statutes.

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 person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED September 26, 1984.D. L. HOOTS, 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 and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

XXXXX RETURN TO: D. L. Hoots, 2261 S. 6th,
Klamath Falls, OR 97601

284 SEP 27 1984

CK 9.00

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12' West a distance of 72.5 feet; thence North 89°26' East 240 feet; more or less, to the point of beginning.

STATE OF OREGON,)

County of Klamath)

Filed for record at request of

on this 27 day of Sept., D. 19 84at 4:03 o'clock P M, and dulyrecorded in Vol. M84 of MortgagesPage 16788

EVELYN BIEHN, County Clerk

By Ann Smith DeputyFee 8.00