

OL

41683

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## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by MICHAEL S. HALL and MARSHA K. HALL  
 husband and wife  
Transamerica Title Insurance Company, as grantor, to  
 in favor of Corporation of the Presiding Bishop of the Church of Jesus Christ of, as trustee,  
Latter Day Saints, a Utah Corporation, as beneficiary,  
 dated June 15, 1982, recorded June 15, 1982, in the mortgage records of  
Klamath County, Oregon, in book/feet/volume No. M82 at page 7578, 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 28, WINEMA GARDENS, 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 payments in the sum of \$478.30 from January 15, 1984 to date, in the sum of \$4,304.70, together with late charges in the sum of \$334.88, together with accrued real property taxes in the sum of \$687.15 plus interest for 1982-83 and \$691.84, plus interest, for 1983-84.

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 sum of \$46,500.00 with interest thereon at the rate of 12% per annum from January 15, 1984, until paid, together with late charges in the sum of \$334.88, together with accrued real property taxes in the sum of \$687.15, plus interest for 1982-83 and \$691.84, plus interest for 1983-84.

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 March 12, 1985, at the following place: Front entrance to  
the 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.

284 SEP 27 PM 4 03

CK  
9.00



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

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: Sept 27, 1984

D. L. HOOTS, 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 KlamathSEPTEMBER 27, 1984

Personally appeared the above named

D. L. HOOTS

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

(OFFICIAL  
SEAL)

Before me,

Notary Public for Oregon

My commission expires: 5-17-85STATE 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

Michael S. Hall & Marsha K.  
Hall Grantor

To  
Transamerica Title Insurance  
Company Trustee

AFTER RECORDING RETURN TO  
D. L. HOOTS

2261 S. 6th Street, #2  
Klamath Falls, OR 97601

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, \_\_\_\_\_ ) ss.  
County of Klamath

I certify that the within instru-  
ment was received for record on the  
\_\_\_\_ day of September, 1984  
at 4:03 o'clock P.M., and recorded  
in book/reel/volume No. M84 on  
page 16791 or as fee/file/instrument/  
microfilm/reception No. 41683,  
Record of Mortgages of said County.

Witness my hand and seal of  
County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By P. M. Smith Deputy

Fee: \$8.00 Index: \$1.00