

41856

Vol. M84 Page 17095

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by RONALD S. FREEMAN and BERT ZEBBERMAN

KLAMATH COUNTY TITLE COMPANY, as grantor, to
 in favor of LESTER LORMIS and DARLENE J. LORMIS, as trustee,
 dated December 16, 1980, recorded January 9, 1981, as beneficiary,
Klamath County, Oregon, in book/rec'd volume No. M81, in the mortgage records of
 the County of Klamath, Oregon, at page 378, or as
 property situated in said county and state, to-wit:

The South one-half of Section 26, Township 35 South, Range 11 East
 of the Willamette Meridian, 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:

Failure to pay monthly installments in the sum of \$653.68 due July 1, 1984, August 1, 1984, September 1, 1984, and payments due thereafter.

Also, taxes for 1982-83 and 1983-84 in the sum of \$619.75 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:

\$49,645.50 with interest at 9% per annum from July 1, 1984.

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 February 7, 1985, 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.

84 OCT 3 PM 4 17

PCK
9.60



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: October 2, 19 84

Timothy A. Bailey

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

} ss.

October 2, 19 84

Personally appeared the above named

Timothy A. Bailey

and acknowledged the foregoing instrument to be

his voluntary act and deed.

Before me:

Philip M. Arnold

Notary Public for Oregon

My commission expires: 4-4-88

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

Ronald S. Freeman and Bert Zebberman

Grantor

To Timothy A. Bailey

Successor Trustee

AFTER RECORDING RETURN TO

Crane & Bailey
540 Main Street, Suite 204
Klamath Falls, Oregon 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, County of Klamath } ss.

I certify that the within instrument was received for record on the 3rd day of October, 19 84, at 4:17 o'clock P.M., and recorded in book/reel/volume No. MS4 on page 17095 or as fee/file/instrument/microfilm/reception No. 41856, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Blehn, County Clerk

NAME

TITLE

By

Pam. Smith

Deputy

Fee: \$8.00 Index: \$1.00