

NOTICE OF DEFAULT AND ELECTION TO SELL

K-36939

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Reference is made to that certain trust deed made by Nicholas J. Keneally and Linda Keneally, as grantors, to Transamerica Title Insurance Company, as trustee, in favor of Equitable Savings and Loan Association, as beneficiary, recorded May 3, 1979, in the mortgage records of Klamath County, Oregon, as Book M-79, page 10064 covering the following-described real property situated in said county and state, to wit:

Lot 19, Block 6, Tract No. 1035, GATEWOOD, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

There is a default by the grantors or other persons owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest; the default is: the failure to pay when due the following sums: Monthly installments of \$375.32 each, beginning with March, 1983 until June 1, 1983 and monthly installment of \$423.28 each beginning with July 1, 1983 until paid, plus monthly late charges of \$18.77 each, beginning with March, 1983 until June, 1983 plus monthly late charges of \$21.16 each beginning with July, 1983 until paid; real property taxes for the years 1982-83, 1983-84 and 1984-85 in the sums of \$727.01, \$959.19, \$1,166.29, respectively, plus penalties and interest; deferred interest in the amount of \$2,902.04.

By reason of said default, the beneficiary or the beneficiary's successor in interest has declared all obligations secured by said trust deed immediately due and payable, said sums being the following: \$43,146.93, with interest thereon at the rate of 12 percent per annum, from March 1, 1983 until paid, plus monthly late charges of \$18.77 each, beginning with March, 1983 until June, 1983, plus monthly late charges of \$21.16 each beginning with July, 1983 until paid; real property taxes for the years 1982-1985 in the sum of \$2,852.49 plus penalties and interest; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by The Benj. Franklin Federal Savings and Loan Association for protection of the above-described real property and its interest in it.

The beneficiary and trustee or their successors in interest, have elected and do hereby elect to cause the property to be sold at public auction to the highest bidder for cash to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensations of the trustee or successor trustee and the reasonable attorneys fees incurred.

Said sale will be held on June 3, 1985, at the hour of 10 o'clock, A.M., Standard Time at the following place: The 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 for said sale.

Notice is given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by curing the above-described defaults and 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 attorneys fees, at any time prior to five days before the date for said sale.

Dated January 14, 1985

STATE OF OREGON)
County of Multnomah) ss.

Harry M. Hanna
Harry M. Hanna, Successor Trustee

Personally appeared the above-named HARRY M. HANNA and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Valerie T. Auerbach
Notary Public For Oregon
My Commission Expires: 4/21/88

AFTER RECORDING, RETURN TO:

NIEHAUS, HANNA, MURPHY,
GREEN, OSAKA & DUNE

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 16th day of January A.D., 19 85 at 3:36 o'clock P M, and duly recorded in Vol. 185, of Mortgages on page 984.

Fee: \$ 5.00

EVELYN BIEHN, COUNTY CLERK

by: Lam Smith, Deputy

Return to: Niehaus, Hanna, Murphy, Suite 1111 Benj. Franklin Plaza, One Southwest Columbia
Portland, Oregon 97258
Attn: Valerie T. Auerbach
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