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NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 1584 Page 15107

1580

Reference is made to that certain trust deed made by Alan Schneider  
Mountain Title Company, as grantor, to  
Kenneth H. Kinsman & Linda I. Kinsman, husband and wife, and trustee,  
Thomas A. Curcio & Gertrude A. Curcio, husband and wife, as beneficiary,  
dated December 29, 1982, recorded December 29, 1981, in the mortgage records of  
Klamath County, Oregon, in book/reel/volume No. M-81, at page 22035, or as  
fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real  
property situated in said county and state, to-wit:  
SEE ATTACHED LEGAL

Recorded in the Deed of Records in Klamath County, Oregon, Mountain  
Title Company has resigned as Trustee on this obligation and the  
beneficiaries have appointed Del Parks, of Parks & Ratliff, 228 North  
7th Street, Klamath Falls, Oregon, as Successor Trustee.

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:

June, July and August, 1984 payments in the amount of \$320.00 each,  
plus interest at the rate of ten percent per annum from 5/14/84,  
until paid, together with late charges for said months in the amount  
of \$30.00.

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 \$11,735.66, plus interest at the rate of ten percent  
per annum from 5/14/84, until paid, together with late charges in  
the amount of \$30.00.

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 10:00 o'clock, A.M., Standard Time as established by Section  
187.110 of Oregon Revised Statutes on January 31, 1985, at the following place: 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.

15539  
1581 15108  
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

Notice is further given that any person named in Section 86.750 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 30, 19 84

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,

County of Klamath

August 30, 19 84

Personally appeared the above named

Del Parks

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

Del Parks, Successor Trustee

(State which)

STATE OF OREGON, County of

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. 854)

STEVENS-NEES LAW PLS. CO. PORTLAND, OR.

Re: Trust Deed From

Grantor

To

Trustee

AFTER RECORDING RETURN TO  
Parks & Ratliff  
228 North 7th Street  
Klamath Falls, OR 97601

STATE OF OREGON,

County of

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/tile/instrument/microfilm/reception No.

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By

Deputy

GE SALE DATE

The following described real property is situated in Klamath County, Oregon, being more particularly described as follows:

1582

A tract of real property in Government Lot Number 33 and 29 in Section 16, Township 35 South, Range 7 East of the Willamette Meridian, particularly described as follows:

Beginning at the quarter section corner on the South boundary of Section 16, Township 35 South, Range 7 East of the Willamette Meridian; thence North along the center line of Section 16, a distance of 1320.0 feet, more or less, to the Northwest corner of Government Lot Number 33, which corner is monumented with a 2 inch iron pipe; thence East along the North boundary of Lot 33, a distance of 323.30 feet, more or less, to a point on the Easterly right of way boundary of U. S. Highway No. 97, which point is monumented with a 2 inch iron pipe; thence South 2° 22' West along said right of way boundary of 333.30 feet to a 2 inch iron pipe marking the Northwest corner of that parcel of land recorded in Volume 363 at page 58 of Deed Records of Klamath County, Oregon; thence following along the bounds of said parcel of land, North 62° 07' East, 629.30 feet; thence East a distance of 454.20 feet; thence South a distance of 95.00 feet; thence East 107.27 feet; thence leaving said bounds and bearing North 41° 32' East 155.48 feet to a 1/2 inch steel rod which marks the Northerly corner of that tract of land described in Volume M59 at page 8199, Microfilm Records of Klamath County, Oregon and amended description thereof; thence North 51° 10' West 56 feet to the South line of a roadway and being the true point of beginning of this description; thence South 51° 10' East along the Easterly boundary of said tract of land in M59 at page 8199, Microfilm Records of Klamath County, Oregon, a distance of 786.01 feet, more or less, to the water line of Williamson River; thence North 26° 47' East along said water line a distance of 165 feet; thence in a Northwesterly direction 708.5 feet, more or less, to a point on the Southerly line of a roadway and that is also North 45° 50' East 132.7 feet from the true point of beginning; thence South 45° 50' West 132.7 feet to a 1/2 inch steel rod to the point of beginning.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:

The right for ingress and egress as set forth as follows:

"ALSO the right to use and maintain an existing roadway for ingress and egress to and from the land above described from U. S. Highway No. 97, the centerline of said roadway being particularly described as follows:

Beginning at a 3/4 inch iron pipe at the intersection of the Easterly right of way boundary of U. S. Highway No. 97 and the North boundary of Lot 33, Section 16, Township 35 South, Range 7 East of the Willamette Meridian; thence South 2° 22' West along said right of way boundary a distance of 178.4 feet to the true point of beginning of this description; thence North 73° 55' 10" East a distance of 572.20 feet to a point which bears South 20.00 feet from the North boundary of Lot 33; thence East parallel with the North boundary of Lots 33 and 32 a distance of 552.87 feet, more or less, to a point from which a line bearing North 45° 50' East will be parallel with and 20.0 feet Northerly from the North boundary of land being conveyed; thence North 45° 50' East, parallel with and lying 20.0 feet Northerly of the North boundary of land being conveyed, a distance of 335.3 feet.

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 31st day of August A.D., 19 84 at 8:59 o'clock A M, and duly recorded in Vol. M84, of Mortgages on page 15107.

Index: \$1.00  
Fee: \$ 4.00

INDEXED

EVELYN BIEHN, COUNTY CLERK

by: *Pam Smith*, Deputy

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 10th day of Sept. A.D., 19 84 at 2:58 o'clock P M, and duly recorded in Vol. M84, of Mortgages on page 15538.

INDEXED

EVELYN BIEHN, COUNTY CLERK

by: *Pam Smith*, Deputy

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 28th day of January A.D., 19 85 at 4:21 o'clock P M, and duly recorded in Vol. M85, of Mortgages on page 1578.

EVELYN BIEHN, COUNTY CLERK

by: *Pam Smith*, Deputy

Fee: \$ 21.00