

48339

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol 1485 Page 6473

Reference is made to that certain trust deed made by ELIZABETH E. ROBERTSON

WILLIAM L. SISEMORE

in favor of AARON E. ABTS

dated September 9

19 83

Klamath

County, Oregon, in book/reel/volume No. M83

September 13

19 83

in the mortgage records of

at page 15701

property situated in said county and state, to-wit:

covering the following described real

More particularly described on Exhibit A attached hereto and made a part hereof.

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:

\$100.00 due January 9, 1985, and a like amount due on the 9th day of each month thereafter; and failure to pay real property taxes.

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:

\$7,500.00, plus interest and late charges.

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 10:05 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on September 10, 19 85, at the following place: Room 204, 540 Main Street, Klamath, in the City of Klamath Falls, County of State of Oregon, which is the hour, date and place fixed by the trustee for said sale.

OK 13.00

6474

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 86.760 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:

May 1, 19 85

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

STATE OF OREGON,

County of Klamath

May 1, 19 85

Personally appeared the above named

William L. Sisemore

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

Before me:

Notary Public for Oregon

My commission expires:

2-5-89

Trustee

BENEFICIARY

(State where)

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. 884)

STEVENS-NESS LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From

Grantor

Trustee

AFTER RECORDING RETURN TO

William L. Sisemore

540 Main Street

Klamath Falls, Or. 97601

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the

day of

at

o'clock

M., and recorded

in book/reel/volume No.

page

or as fee/file/instrument/

microfilm/reception No.

Record of Mortgages of said County.

Witness my hand and seal of

County affixed.

By

TITLE

Deputy

Parcel 1:

A tract of land situated in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon more particularly described as follows:

Beginning at the C-W 1/16 corner, said corner being South 89° 58' 36" East 1319.48 feet from the West $\frac{1}{4}$ corner of said Section 29; thence North 00° 17' 46" East along the West line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 115.59 feet; thence North 73° 20' 20" East 957.96 feet; ; thence South 16° 39' 40" East 300.00 feet; thence South 73° 20' 20" West 1049.43 feet to the West line of the said NE $\frac{1}{4}$ of SW $\frac{1}{4}$; thence North 00° 17' 46" East 198.04 feet to the point of beginning, together with and subject to a 60 foot easement for ingress and egress as described in Deed Volume M____, Klamath County Deed Records and shown on Survey Map No. 2579 as recoreed in the Klamath County Surveyor's Office.

Parcel 2:

A tract of land situated in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of the said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, said point being South 89° 58' 36" East 1319.48 feet and North 00° 17' 46" East 115.59 feet from the West $\frac{1}{4}$ corner of said Section 29; thence North 00° 17' 46" East along the West line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, 75.72 feet; thence North 48° 26' 22" East 972.11 feet; thence South 41° 33' 38" East 128.54 feet; thence South 16° 39' 40" East 365.11 feet; thence South 73° 20' 20" West 957.96 feet to the point of beginning, together with and subject to a 60 foot easement for ingress and egress as described in Deed Volume M____, Klamath County Deed Records and shown on Survey Map No. 2579 as recorded in the Klamath County Surveyor's Office.

Exhibit A

STATE OF OREGON,
County of Klamath)
Filed for record at request of

on this 2nd day of May A.D. 19 85
at 9:46 o'clock A M, and duly
recorded in Vol. M85 of Mortgages
Page 6473

EVELYN BIEHN, County Clerk

By *[Signature]* Deputy

Fee 13.00