

OL
KIMBERLY LITTE' OF OREGON
B.O. BOX 48735
GLENDALE, ARIZONA

155: 25:00

Vol. 185 Page 7134

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by

NANCY A. MORRIS

TRANSAMERICA TITLE INSURANCE COMPANY

in favor of GRACE R. THOMAS

dated November 24

19 80

recorded November 26

fee/file/instrument/microfilm/reception No. 93039 (indicate which), covering the following described real property situated in said county and state, to-wit:

Beginning at a point on the Section Line which lies North 0°12' East along the Section Line a distance of 799.8 feet from the Southwest corner of Section 35, Township 38 South, Range 9 East of the Willamette Meridian in Klamath County, Oregon, and running thence: Continuing North 0°12' East along the section line a distance of 61 feet to a point; thence North 89°59' East a distance of 344.1 feet to an iron pin; thence South 0°15' West a distance of 61 feet to an iron pin; thence South 89°59' West a distance of 344 more or less to the point of beginning in the SW 1/4 of Section 35 Township 38 South, Range 9 East of the Willamette Meridian in Klamath County, Oregon. ***Excepted is the Westerly 30 feet lying in Summers Lane Road right-of-way and the Irrigation Ditch and drainage ditches now on said tract, 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 situated; 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:

January 1, 1985; February 1, 1985, March 1, 1985; April 1, 1985 and May 1, 1985 payments of \$234.00 each on Trust Deed and Note, with interest at 9% per annum from due dates, plus real property taxes and insurance due on the above-described property.

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:

\$16,182.26 balance due and owing, plus accrued interest at 9% per annum from December 17, 1984, unpaid real property taxes in the sum of \$2,100.59, and insurance.

NOTICE OF SALE

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 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on September 24, 1985, at the following place: Law office of Glenn D. Ramirez, 514 Walnut Street, Klamath Falls, Oregon, which is the hour, date and place fixed by the trustee for said sale.

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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
Nancy A. Morris
44 Old Morton Street,
Dorchester, MASS 02124

TRANSAMERICA TITLE INSURANCE COMPANY
12360 East Burnside
Portland, OR 97216

NATURE OF RIGHT, LIEN OR INTEREST
Grantor
Former trustee

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 13, 1985

Glenn D. Ramirez, Successor Trustee

STATE OF OREGON, County of Klamath

Personally appeared the above named Glenn D. Ramirez, as Successor Trustee and acknowledged the foregoing instrument to be voluntary act and deed.

Glenn D. Ramirez, Successor Trustee

STATE OF OREGON, County of Klamath

Personally appeared who, being duly sworn, did say that he is the

Before me:
VIVIANNE T. HUSTEAD
NOTARY PUBLIC - OREGON
My Commission Expires: 3-14-89

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:

NOTICE OF DEFAULT AND ELECTION TO SELL
(FORM No. 884)
STEVEN-NESS LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From
Nancy A. Morris
To
Glenn D. Ramirez
Successor Trustee

AFTER RECORDING RETURN TO
GLENN D. RAMIREZ
P.O. Box 368
Klamath Falls, OR 97601

STATE OF OREGON, County of Klamath

I certify that the within instrument was received for record on the 13th day of May, 1985 at 4:29 o'clock P.M., and recorded in book/reel/volume No. M85 on page 7134 or as fee/file/instrument/microfilm/reception No. 48735

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

Fee: \$9.00

NAME
By Evelyn Biehn
TITLE
Deputy