

55771

Vol. M85 Page 19373

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by DAVID D. CARROLL

MOUNTAIN TITLE CO., INC.

in favor of JOHN T. SHAW and CHRISTIE L. SHAW, husband and wife, as grantor, to
dated May 17, 1985, recorded May 22, 1985, in the mortgage records of
Klamath County, Oregon, in book/reel/volume No. M 85, at page 7636, or as
fee/tile/instrument/microfilm/reception No. (indicate which), covering the following described real
property situated in said county and state, to-wit:

The South 1/4 of Lot 24, FAIR ACRES SUBDIVISION NO. 1, according to
the official plat thereof on file in the office of the County
Clerk of Klamath County, Oregon, EXCEPTING THEREFROM that portion
conveyed to Klamath County for road purposes by Deed Volume 349,
page 474, Deed Records of Klamath County, 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 has been instituted to recover
the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted,
such action 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 22, 1985 - \$257.91; July 22, 1985 - \$257.91; August 22, 1985 -
\$257.91; September 22, 1985 - \$257.91; October 22, 1985; November
22, 1985 - \$257.91; and a like payment of \$257.91 due on the 22nd
day of each month thereafter until paid.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust
deed immediately due and payable, said sums being the following, to-wit:

Principal and interest due in the amount of \$25,229.58, plus interest
at the rate of 10% hereafter.

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 April 29, 1985, at the following place: 228 North
Seventh, Klamath Falls, OR 97601 in the City of Klamath, County of
Klamath, State of Oregon, which is the hour, date and place fixed by the trustee for said sale.

19374

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 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance necessary to cure the default, by paying all costs and expenses paying said sums or tendering the obligation and trust deed, together with trustee's and attorney's fees not exceeding actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said Section 86.753 of Oregon Revised Statutes.

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 person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: November 25, 1985

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

STATE OF OREGON,

County of Klamath

The foregoing instrument was acknowledged before me this November 25, 1985, by

(SEAL)

Notary Public for Oregon

My commission expires: 7-3-89

(ORS 194.570)

Trustee

Beneficiary

(State which)

STATE OF OREGON, County of

The foregoing instrument was acknowledged before me this

19, by

president, and by

secretary of

Notary Public for Oregon

My commission expires:

corporation, on behalf of the corporation.

(SEAL)

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

Re: Trust Deed From

To Grantor

Trustee

AFTER RECORDING RETURN TO

Parks & Rothliff
225 N. 4th

Klamath Falls OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

Fee: \$9.00

STATE OF OREGON,
County of Klamath

I certify that the within instrument was received for record on the 25th day of November, 1985 at 10:18 o'clock A.M., and recorded in book/reel/volume No. M95 on page 19373 or as fee/file/instrument/microfilm/reception No. 55771 of Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Pam Smith Deputy