

63048

Vol. MS80 Page 11233

**NOTICE OF DEFAULT
AND ELECTION TO SELL**

Pursuant to ORS 86.705-795, the undersigned Trustee and the Beneficiary have elected to foreclose the following described Trust Deed in the manner provided by said statute.

1. The names of the Grantor, Trustee and Beneficiary named in the subject Trust Deed are:

- a. Grantor: DONALD F. SPEARS and JUNE RUBY SPEARS
- b. Trustee: William L. Sisemore
- c. Beneficiary: CERTIFIED MORTGAGE CO., an Oregon Corp.

2. The legal description of the property covered by the subject Trust Deed is:

Lots 6, 7 and 8, Block 3, CHILOQUIN DRIVE ADDITION TO THE CITY OF CHILOQUIN, County of Klamath, State of Oregon.

3. The Book, page number and the date the subject Trust Deed was recorded in the Mortgage Records of Klamath County, Oregon are:
Book:M-83; Page: 9955; Dated: June 27, 1983.

4. The default for which the foreclosure is made is the Grantor's failure to pay monthly installments in the amount of \$158.07 each due of the 24th day of each month from September, 1985 to May, 1986, inclusive.

5. The sum owing on the obligation secured by the subject Trust Deed is the principal amount of \$4,272.23 plus interest thereon at the rate of 16.0% per annum from August 24, 1985 until paid.

6. The Beneficiary and the Trustee have elected to foreclose the above referenced Trust Deed pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.

7. The Trustee will conduct a sale of the above described property at 10:05 a.m. on the 30th day of October, 1986 at the front steps of the Klamath County Courthouse, 300 block of Main Street, Klamath Falls, Oregon.

8. Pursuant to ORS 86.753; the Grantor, the Grantor's successor in interest to all or any part of the above described property, any beneficiary under a subordinate Trust Deed, or any person having a subordinate lien or encumbrance of record on the property; may cure the default or defaults at any time prior to five days before the above said date of sale by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred. In addition, the person affecting

NOTICE OF DEFAULT AND ELECTION TO SELL Page 1

11234

the cure shall pay all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and Attorney's fees specified in the said statute.

In construing this instrument, 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.

William M. Ganong
William M. Ganong

STATE OF OREGON)
County of Klamath) ss

Personally appeared this 26th day of June, 1986 the above named William M. Ganong, Successor Trustee, and acknowledge the foregoing instrument to be his voluntary act and deed.

(SEAL) PEGGY R. REYNOLDS
NOTARY PUBLIC - OREGON
My Commission Expires _____

Peggy R. Reynolds
Notary Public For Oregon
My commission expires: 12-5-88

After Recording Return to: William M. Ganong, 1151 Pine Street, Klamath Falls, OR 97601.

NOTICE OF DEFAULT AND ELECTION TO SELL Page 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of June A.D., 19 86 at 3:59 o'clock P M., and duly recorded in Vol. 11233 M86
of Mortgages on Page 11233

FEE \$9.00

By Evelyn Biehn, County Clerk
Evelyn Biehn