

64598

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 786 Page 14061

Reference is made to that certain trust deed made by STEPHEN L. BUHRIG and SUSAN BUHRIG, husband and wife, as grantor, to MOUNTAIN TITLE CO., INC., as trustee, in favor of GLADYS P. MITCHELL, THERESA REEVES & SHIRLEY STAUFFER, as beneficiary, dated January 11, 19 85, recorded January 11, 19 85, in the mortgage records of Klamath County, Oregon, in book XXXXXX, volume No. M85, at page 704, of XX property situated in said county and state, to-wit:

The East 90 feet of Lot 1, Block 4, ALTAMONT ACRES, and the East 90 feet of Lot 2, Block 4, ALTAMONT ACRES, according to the official plat thereof on file in the office of the County Clerk 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:

Monthly payments in the sum of \$300.00 due December 11, 1985 and payments due thereafter. Taxes for the year 1985/1986 in the sum of \$545.12.

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:

\$24,952.29 with interest due at 13% from July 15, 1986.

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, together with 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 10:00 o'clock, A M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on December 16, 19 86, at the following place: front steps of the Klamath County Courthouse, 316 Main St., 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.

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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

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 required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses 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: August 7, 1986

Successor Trustee

Timothy A. Bailey

(State which)

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

STATE OF OREGON,

County of Klamath

ss.

The foregoing instrument was acknowledged before me this 7th day of August, 1986, by Timothy A. Bailey

NOTARY

PUBLIC

Notary Public for Oregon

My commission expires: 8/1/90

(ORS 194.570)

STATE OF OREGON, County of

ss.

The foregoing instrument was acknowledged before me this

, 19, by

president, and by

secretary of

a

corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires:

(SEAL)

# NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

STEVENS-NESS LAW PUB. CO., PORTLAND, O.R.

Re: Trust Deed From

Stephen L. Buhrig and

Susan Buhrig

Grantor

To Timothy A. Bailey

Successor

Trustee

AFTER RECORDING RETURN TO

Crane & Bailey

540 Main Street, Suite 204

Klamath Falls OR 97601

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 8th day of August, 1986 at 3:55 o'clock PM, and recorded in book/reel/volume No. M86 on page 14061. or as fee/file/instrument/microfilm/reception No. 64594. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME: Evelyn Biehn TITLE: Deputy

Fee \$9.00