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	<u>14710</u>
Reference is made to that certain trust deed made by	
MOUNTAIN TITLE COMPANY , as grantor, to	
In favor of UNITED STATES NATIONAL PANK OF OPPOSIT	
died May 25rd 10 79	
	,
book/reel/volume No. M78	
fee/file/instrument/microfilm/reception No	

3 ing the following described real property situated in sald County and State, to-wit: 24

LOT 4, Block 1, of REPLAT OF BUREKER PLACE, according to the official plat H. thereof on file in the office of the County Clerk of Klamath County, Oregon.

61 90V 98,

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successortrustee have been made except as recorded in the mortgage records of the county or countles in which the above described real property is situated; further, that no action, sult 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, except an action to appoint a receiver pursuant to ORS 86.010, or the foreclosure of another trust deed, mortgage, security agreement or other consensual or nonconsensual security interest or lien securing repayment of this debt.

There is a default by the grantor or other person owing an obligation, or by their successor-in-interest, the performance of which is secured by said trust deed, 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: Make monthly payments of \$395.00 each, commencing with the payment due on January 1, 1986 and continuing each month until this Trust Deed is reinstated or goes to Trustee's Sale; plus a late charge of \$5.00 on each installment not paid within 15 days following the due date; Trustee's fees and other costs and expenses associated with this foreclosure, and any further breach of any term or condition contained in subject Note and Deed of

By reason of said default, the beneficiary has declared all obligations secured by said trust dood immediately due and payable, said sums boing the following, to-wit: Pay the sum of \$32,533.05, together within interest thereon at the rate of 9,875% per annum, from December 1, 1985 until paid; plus all accrued late charges; and all Trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said Deed of Trust;

Notice is hereby 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 funds 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 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 trusteets antorneys.

Said sale will be held at the hour of . 10:00 Standard of Time as established by Section 187.110 of Oregon Revised Statutes on <u>January 5th</u>, 19.87, at the following place: o'clock, A the front steps of the Klauath County Courthouse

		in the City of
Oregon, which is the hour.	date and place fixed by the trustee	, State of
,	which and proce traded by the trustee	for said sate

Uther than as shown of record neither the said beneficiary nor the said trustee has any actual notice of any person having or claiming to the said to the interest in the real property hereinabove described subsequent interest to the grantor or of any lessee or other person in possession of or occupying the property. except:

NATURE OF RIGHT, LIEN OR INTEREST

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Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust dead reinstated by nament to the beneficiary of dismissed and the trust deed reinstated by payment to the beneficiary of the 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, trustee's and attorney's fees and by curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or attorney's rees and by curing any other detault complained of in the Not of Default by tendering the performance required under the obligation or trust deed at any time or or to five days before the date last set for s of Detault by Teridering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale. In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes the 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 word "trustee" and "beneficiary" include their respective successors in interest of any. DATED: August 13th to be a successor of the secure o

STATE OF CAL IFORN IA CLARA CALFORNIA Sandra P. Smith, Secretary On this <u>13th day of August</u> the undersigned, a Notary Public, in and for said County and State, duly commissioned and Sworn, personally appeared <u>Dersonally known to me (or prover</u> Sandra P. Smith <u>Sandra P. Smith</u> to me on the basis of Satisfactory evidence) to be the <u>Secretary</u> of the corporation that executed the within instrument, and also known to me to be the person who executed the within instrument, and also known to me to be the person also known to me to be the person who executed the within instrument of the corporation therein named, and acknowledged to me that such - who executed the within instrument on IN WITNESS WHEREOF I have hereunto set my hand and affixed my official in the <u>Santa Clara</u> County of <u>California</u> on the seal in the <u>Santa Clara</u> date set forth above in this certificate.

Notary Public, State of California Wy commission expires

NOTICE OF DEFAULT AND ELECTION TO SELL

Re: Trust Deed Fram

ARTHUR, Lawrence and Judith To -, Grantor

Mountain Title Company

., Trustee

After recording return to: <u>PEELLE FINANCIAL CORP</u> 197 E. Hamilton Ave., #202 Campbell, CA 95008 Attn: Stacey Wehrfritz

OR 102 NOD (Rev. 12/85)

OFFICIAL SEAL JANICE L. EAKES NOTARY PUBLIC-CALIFORNIA Principal Office in Santa Clara County My Commission Expires Feb. 26. 1989 STATE OF OREGON, COUNTY OF ____KLAM Klamath I certify that the within instrument was received for record on the <u>18th</u> day of <u>August</u> 19<u>86</u>, at <u>12:53</u> of o' clock book/reel/volume No. <u>M86</u>, Record of Mortgages of said County. on Page 14710 Witness my hand and seal of County affixed.

. on the

Name Evelyn Biehn, Title Klamath County Clerk By Jon Jon The Deputy

Fea: \$9.00