

70630

## TRUSTEE'S NOTICE OF SALE

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Reference is made to that certain trust deed made by Roger P. Montgomery and Maurine Montgomery, husband and wife, as grantor, to Transamerica Title Insurance Company, as trustee, in favor of Primary Source, Inc., an Oregon corporation, as beneficiary, dated June 12, 1979, recorded June 22, 1979, in the mortgage records of Klamath County, Oregon, in book XXXXXXX No. M-79 at page 14879, covering the following described real property situated in said county and state, to-wit:

Lots 5 and 6, Block 1, Tract No. 1031, SHADOW HILLS SUBDIVISION #1, in the County of Klamath, State of Oregon.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

- (1) \$11,000 plus interest at 10% per annum from 12/15/80 until paid.
- (2) Real property taxes for tax years 1981-82 through 1985-86 totaling \$1,893.46.

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:

- (1) \$11,000 plus interest at 10% per annum from 12/15/80 until paid.
- (2) Real property taxes for tax years 1981-82 through 1985-86 totaling \$1,893.46.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 15, 1987, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Main Entrance of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the 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 set 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 person 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 December 4, 1986.

Douglass H. Schmor  
Douglass H. Schmor

Successor Trustee

State of Oregon, County of Jackson, ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740(2) or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE:

At: Brophy, Wilson & Duthaine, Attys  
Box 128  
Medford, Ore 97501

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of January A.D., 1987 at 12:06 o'clock P.M., and duly recorded in Vol. M87, of Mortgages on Page 1045.

FEE \$5.00

Evelyn Biehn,  
By [Signature] County Clerk

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