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K-38959
TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Thomas C. Whelan and Mary Jane Whelan*, as grantor, to Bank of Milwaukie**, as trustee, United States National Bank of Oregon***, as beneficiary,

in favor of December 19, 1980, recorded December 22, 1980, in the mortgage records of Klamath County, Oregon, in book 1881, volume No. M-80, at page 24823 and re-recorded February 10, 1981, in Volume M-81, page 2097, which, covering the following described real property situated in said county and state, to-wit: Lots 17, 18, 19 and 20 in Block 51 of Grandview Addition to Bonanza, together with the South half of the alley that adjoins the property on the North, Klamath County, Oregon, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

*Succeeded in interest by unrecorded Substitution Agreement dated August 26, 1982, executed by Thomas C. Whelan and Mary Jane Whelan, as Grantor, Housing Division, Department of Commerce, State of Oregon, as Beneficiary, and Ernest R. Thomas and Connie A. Thomas, as hereto (continued on Exhibit A)

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 Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: The payments of principal and interest due February 1, 1986, and on the first (1st) day of each month thereafter, in the sum of \$335 each, plus late charges totalling \$60, all totalling \$3,410.

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: The principal balance owing in the sum of \$28,422.07, plus interest accrued thereon at the rate of 9.75% per annum from January 1, 1986 until paid in full, plus late charges totalling \$60, plus the cost of a foreclosure report in the sum of \$211, plus the cost of hazard insurance in the sum of \$34.10, plus the cost of securing the property in the sum of \$37.25, and plus other costs and disbursements incurred in the course of this proceeding.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 18, 1987, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the front entrance of the Klamath County Courthouse, 316 Main Street 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 ORS 86.753 has the right, at any time prior to five days before the date last set for 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 ORS 86.753.

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 October 31, 1986

Charles P. Starkey, Trustee

State of Oregon, County of Multnomah 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

SERVE:

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

Exhibit "A"

as Purchaser; and by Warranty Deed recorded September 23, 1982, in Volume M-82, page 12655, Records of Klamath County, Oregon.

**The beneficiary has appointed Charles P. Starkey, Esq. of Weiss, DesCamp, Botteri & Huber, A Professional Corporation, as successor trustee.

***The beneficial interest in said Trust Deed was assigned to Housing Division, Department of Commerce, State of Oregon, by Assignment dated December 19, 1980, recorded December 22, 1980, in Volume M-80, page 24827, and re-recorded February 10, 1981, in Volume M-81, page 2102, and additionally re-recorded March 26, 1981, in M-81, page 5445, Records of Klamath County, Oregon.

Return to:
Charles P. Starkey, Esq.
Weiss, DesCamp, Botteri & Huber
2300 U.S. Bancorp Tower
111 S.W. Fifth Ave.
Portland, Oregon 97204

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 23rd day
of February A.D., 19 87 at 11:53 o'clock A M., and duly recorded in Vol. M87,
of Mortgages on Page 2833.

FEE \$9.00

Evelyn Biehn, County Clerk
By Ann Smith