

OC  
82697  
SAR WED BUDGE  
CLING & BUDGE

REV: 8/10/80

Vol. 189 Page 22583

## NOTICE OF DEFAULT AND ELECTION TO SELL

RAYMOND D. BIXLER and DONNA R.

Reference is made to that certain trust deed made by BIXLER, husband and wife, as grantor, to ASPEN TITLE &amp; ESCROW, INC., an Oregon corporation, as trustee,

in favor of GERTRUDE A. HEEGE, as beneficiary,

dated November 26, 1984, recorded November 28, 1984, in the mortgage records of Klamath County, Oregon, in book/leaf/volume No. M-84 at page 19982, or as

covering the following described real property situated in said county and state, to-wit:

The SP1 of Section 12, Township 33 South, Range 13 East of the Willamette Meridian, 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 payment due March 26, 1987 in the sum of \$100.00, and like monthly payments due thereafter and failure to pay property taxes in the sum of \$2069.63 for years 1985/86, 1986/87 and 1987/88.

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:

\$6830.16 with interest at the rate of 10% from February 26, 1987 until paid.

VIR LING BUDGE, Klamath Falls, OR 97601  
BUDGETERS' BUDGETERS & DEATH

1984 BUDGETERS' Klamath Falls, OR 97601  
BUDGETERS' BUDGETERS & DEATH

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, 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 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 April 26, 1988, at the following place: Front steps of the Klamath Co. Courthouse, 316 Main Street 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

Paddock Real Estate Co.  
2972 S. 6th Street, Klamath Falls OR 97603

Trust Deed

Richard Barlow & Linda Barlow, c/o Mike Ratliff  
228 North 7th, Klamath Falls OR 97601

Judgment Lien

Bruce Brink and Helen Wolter  
1643 Manzanita, Klamath Falls OR 97601

Judgment Lien

Brandsness, Brandsness & Davis  
411 Pine Street, Klamath Falls OR 97601

Judgment Lien

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 December 18, 1987

Successor Trustee

TIMOTHY A. BAILEY

Beneficiary

(State which)

STATE OF OREGON

(ORS 194.570)

STATE OF OREGON, County of

County of Klamath

The foregoing instrument was acknowledged before me this December 18, 1987, by  
TIMOTHY A. BAILEY

The foregoing instrument was acknowledged before me this  
19, by  
president, and by  
secretary of

secretary of

corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires:

(SEAL)

# NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

STEVEN'S-NEES LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From

RAYMOND D. BIXLER &amp; DONNA R. BIXLER,

Grantor

TIMOTHY A. BAILEY

Successor Trustee

AFTER RECORDING RETURN TO

Crane & Bailey  
296 Main Street  
Klamath Falls OR 97601

Fee: \$10.00

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 18th day of December, 1987, at 4:18 o'clock P.M., and recorded in book/reel/volume No. M87 on page 22583 or as fee/file/instrument/microfilm/reception No. 82697.

Record of Mortgages of said County.  
Witness my hand and seal of  
County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By *Pam Smith* Deputy