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 001-7416-21-001-2016-319
 VERIFICATION OF FPM
 1001 C. BUCHANAN

Vol. m89 Page 9214

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by LARRY V. MILLER and HOLLY M. THOMPSON, not as tenants in common; but right of survivorship, as grantor, to MOUNTAIN TITLE CO. OF KLAMATH COUNTY (Neal G. Buchanan, attorney as successor), as trustee, in favor of HAROLD FRANKLIN & IMAGE J. FRANKLIN, husband & wife, or survivor, as beneficiary, dated August 3, 1988, recorded August 16, 1988, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M-88 at page 13256, or as fee/file/instrument/microfilm/reception No. 90418 (indicate which), covering the following described real property situated in said county and state, to-wit:

A portion of the SE1/4 NE1/4 of Section 25, Township 24 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 220 feet West and 690 feet North of the SE corner of SE1/4 of the NE1/4 of Section 25, Township 24 South, Range 8 East of the Willamette Meridian; thence North parallel with East line of said SE1/4 of the NE1/4 200 feet; thence West parallel with North line of said SE1/4 of the NE1/4 220 feet; thence South parallel with East line of said SE1/4 of the NE1/4 200 feet; thence East parallel with South line of said SE1/4 of the NE1/4 220 feet; to the point of beginning.

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 except as permitted by ORS 86.735(4).

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:

- A. The monthly payments due January 15, 1989, in the amount of \$131.73, together with a like amount due the 5th day of each month thereafter.
- B. Real property taxes for tax year 1988-89 in the amount of \$162.53, plus interest

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:

- A. \$5,920.07, plus interest on said sum at the rate of 10% per annum from 1/11/89.
- B. Real property taxes for tax year 1988-89 in the amount of \$162.53, plus interest

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 ORS 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 1:40 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on October 6, 1989, at the following place: 501 Main Street, Suite 215 in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set 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

LARRY V. MILLER and HOLLY M. THOMPSON

Grantors

P.O. Box 288

Crescent, OR 97733

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: May 26, 1989

Successor Trustee

Beneficiary

(State which)

STATE OF OREGON,

(ORS 194.570)

STATE OF OREGON, County of

ss.

County of Klamath

ss.

The foregoing instrument was acknowledged before me this

me this May 26, 1989, by

president, and by

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)

STEVENS-NESS LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From

LARRY V. MILLER and HOLLY M. THOMPSON

Grantor

To

Mountain Title Co. of Klamath

Co. N. G. Buchanan as Successor

Trustee

AFTER RECORDING RETURN TO

Neal G. Buchanan

Attorney at Law

601 Main Street, Suite 215

Klamath Falls, OR 97601

STATE OF OREGON,

County of Klamath

ss.

Filed for record at request of:

Neal G. Buchanan

on this 26th day of May A.D., 1989

at 11:47 o'clock A.M. and duly recorded

in Vol. M89 of Mortgages Page 9214

Evelyn Biehn County Clerk

By *Neal G. Buchanan*

Fee, \$13.00

Deputy.

SPACE FOR
RECORDED

OR DELIVERED