

K-41654

RIGHT 1989 STEVENS-NESS LAW PUB. CO., PC

Vol. m90 Page - 4564

Reference is made to that certain trust deed made by THOMAS PARTRIDGE

All that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 36 South, Range 6 East of the Willamette Meridian, in the County of Klamath, State of Oregon, lying Southwesterly of the Oregon State Secondary Highway designated as Lake O! the Woods Highway No. 270, Klamath County, Oregon.

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 payments in the sum of \$678.00 commencing with the payment due October

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 sum of \$44,988.00, with interest thereon at the rate of 18% per annum from September 2, 1987, until paid, plus a monthly late charge on each delinquent installment payment and costs, fees and expenses associated with this foreclosure.

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 grantor of the trust deed, together with any interest the grantor or grantor's 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 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on August 10, 1990, at the following place: the front steps of the Klamath County Courthouse, 316 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.

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

John Coangelo
6202 N. E. Highway 99, Suite 4
Vancouver, Washington 98665

Beneficiary of Trust Deed dated 4-2-85,
recorded 4-2-85, in Volume M85, page 4837,
Mortgage records Klamath County, Oregon,
Thomas Partridge, grantor; United States
Escrow Corporation, trustee.

James M. Fox
281 Del Mar Avenue, Apartment No. 1
Costa Mesa, California 92627

Judgment against Thomas Partridge held by
James M. Fox, recorded July 30, 1985, in
Volume M85, page 11938, transcribed from
Josephine County, Case No. 84-745L, County
Lien Docket records of Klamath County, Or.

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 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 March 8, 1990

Donald W. Green, III, Successor Trustee

(If the signer of the above is a corporation,
use the form of acknowledgment opposite
and affix corporate seal.)

STATE OF OREGON,)
County of Multnomah) ss.

STATE OF OREGON,)
County of) ss.

This instrument was acknowledged before me on
March 11, 1990, by
Donald W. Green, III, successor
trustee.

This instrument was acknowledged before me on _____,
19____, by _____,
as _____
of _____

Evelyn Biehn
Notary Public for Oregon
(SEAL) My commission expires: 11-5-92

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

THOMAS PARTRIDGE

Grantor

To
JAY W. WHIPPLE

Trustee

AFTER RECORDING RETURN TO

Donald W. Green, III
Schwab, Hilton & Howard
610 S.W. Alder, Suite 1200
Portland, Oregon 97205

THIS INSTRUMENT IS FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF Klamath,) ss.

I certify that the within instrument was received for record on the 12th day of March, 1990, at 2:19 o'clock PM, and recorded in book/reel/volume No. M90 on page 4564 or as fee/file/instrument/microfilm/reception No. 12248, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk
NAME TITLE

By *Debra M. Mullins*, Deputy

Fee \$13.00