

ON

28032

Vol. M91 Page 6477

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Edwin J. WalkerMountain Title Co., Inc., as grantor, toin favor of Bill B. Harp and/or Roselyn M. Harp, as trustee,dated June 25, 1985, recorded June 27, 1985, in the mortgage records of  
Klamath County, Oregon, in book/trust/volume No. M85 at page 9898, or as  
fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real  
property situated in said county and state, to-wit:

That portion of Government Lot 11 lying south of the O & C  
Railroad right of way and the north 1/2 and the north 1/2  
of the south 1/2 of Government Lot 14, all situate in  
Section 14, Township 36 south, Range 12 east of the Willamette  
Meridian, in the County of Klamath, State of Oregon.  
Code 8 Map 3612-1400 TL 301

An Assignment of Trust Deed by Beneficiary or his Successor in Interest  
whereby Bill B. Harp and Roselyn M. Harp transferred all their beneficial  
interest in the subject property to OSCAR T. ANDERSON, JR. was signed  
1/14/91 and recorded 1/16/91 in Vol. M91 at page 1117 as document no. 24914  
in the Record of Mortgages of 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 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:

Principal in the amount of \$10,593.27, plus interest from 2/16/89  
in the amount of \$1,363.48.

Interest will accrue from 4/9/91 at the rate of \$1.74 per day.

Plus taxes.

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:

Principal in the amount of \$10,593.27, plus interest from 2/16/89  
in the amount of \$1,363.48. Interest will accrue from 4/9/91 at  
the rate of \$1.74 per day. Plus taxes, attorney's fees and costs  
incurred as a result of 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 10:00 o'clock, A.M., in accord with the standard of time established  
by ORS 187.110 on September 16, 1991, at the following place: 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.

91 APR 11 AM 11 23

1300

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

Edwin J. Walker

Beatty OR 97621

Mr. and Mrs. Hoffman

c/o Mark A. Peterson

Attorney at Law

310 SW 4th Avenue

Portland OR 97204

State of Oregon

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:

4-10

1991

Michael L. Brant

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 Klamath

ss.

STATE OF OREGON

County of

ss.

This instrument was acknowledged before me on

4-10, 1991, by

Michael L. Brant

This instrument was acknowledged before me on

1991, by

as

of

(SEAL)

My commission expires: 3-24-92

Notary Public for Oregon

My commission expires: 1991

(SEAL)

# NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

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

Re: Trust Deed From

Edwin J. Walker

Grantor

To

Michael L. Brant

Successor Trustee

AFTER RECORDING RETURN TO

MICHAEL L. BRANT

325 Main Street

Klamath Falls OR 97601

STATE OF OREGON

County of Klamath

ss.

I certify that the within instru-

ment was received for record on the

11th day of April, 1991

at 11:23 o'clock A.M. and recorded

in book/reel/volume No. M91

on page 6477 or as fee/file/instrument/

microfilm/reception No. 28032

Record of Mortgages of said County.

Witness my hand and seal of

County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By Evelyn Biehn, Deputy

Fee \$13.00