

ON

32634

Vol. 91 Page 14954

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made byKENNETH KENDALL....., as grantor, to MOUNTAIN TITLE COMPANY, Trustee/MICHAEL L. BRANT, SUCCESSOR TRUSTEE....., as trustee, in favor of AGNES C. PARKS....., as beneficiary, dated April 8, 1983, recorded April 11, 1983, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M 83 at page 5353, or as fee/file/instrument/microfilm/reception No. 22274 (indicate which), covering the following described real property situated in said county and state, to-wit:

The Southerly 65 feet of Lot 46, FAIR ACRES SUBDIVISION, NO. 1, in the County of Klamath, State of Oregon, EXCEPTING THEREFROM the Westerly 5 feet lying within boudaries of Kane Street.

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:

Monthly installments of \$122 due since October 26, 1987; with a like payment due each month thereafter until paid in full plus interest on the unpaid principal balance at the rate of 10% per annum from September 8, 1987, the date of the last payment, in a total sum of \$4,034.36 through April 15, 1991. Said interest accrues at the rate of \$3.07 per day. The unpaid principal balance due as of April 15, 1991 is \$11,198.02.

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 amount of \$11,198.02 plus interest thereon at the rate of 10% per annum in the amount of \$4,034.36, which said interest will accrue at the rate of \$3.07 per day from April 15, 1991 until paid in full; plus attorney's fees, taxes due as of January 15, 1991 in the amount of \$4,768.62, plus interest, and all costs 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 10 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on January 13, 1992, 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.

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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
1. 225 AC	

Rick Werlinger, 6205 Roundlake Road, Klamath Falls, Oregon 97601

Jamie L. Foster, 1519 B Hood Road, No. 13, Sacramento, California 95825

F Jean Elzner, Klamath County Tax Collector, 305 Main Street, Klamath Falls, Oregon 97601

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.

Michael E. Brant

Michael L. Brant
Trustee ~~Beneficiary~~ (state which)

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

STATE OF OREGON,)
) ss.

County of Klamath

County of Franklin, State of Ohio,
This instrument was acknowledged before me on
July 30 1991, by _____

Michael J. Brait

Wendy Young
Notary Public for Oregon

My commission expires: 8-31-91

NOTICE OF DEFAULT AND
ELECTION TO SELL

(FORM No. 884)

(FORM No. 884)

Re: Trust Deed From

Kenneth Kendall

Grantor

AFTER RECORDING RETURN

Michael L. Brant
325 Main Street
Klamath Falls OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

Fee \$13.00

STATE OF OREGON,

County of _____

County of
This instrument was acknowledged before me on

19 by

ns

of

Notary Public for Oregon

My commission expires:

STATE OF OREGON,
County ofKlamath..... } ss

I certify that the within instrument was received for record on the 31st day of July, 1991, at 1:16 o'clock A.M., and recorded in book/reel/volume No. M91 on page 14954 or as fee/file/instrument/microfilm/reception No. 32634, Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

County affixed.
Evelyn Biehn, County Clerk
 NAME TITLE
 By Pauline M. Mulenbarger Deputy