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## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by James H. Goslin and Mary F. Goslin, husband and wife, dba Goslin Stables, as grantor, to Mountain Title Company of Klamath County, as trustee, in favor of F. Darlene Lightner and Thys de Hoop, Trustees of the Howard M. \*, dated April 6, 1988, recorded April 27, 1988, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M-88, at page 6665, or as fee/file/instrument/microfilm/reception No. 83262 (indicate which), covering the following described real property situated in said county and state, to-wit:

The NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  and Government Lots 5, 6, 7, and 8 in Section 31, Township 30 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, TOGETHER WITH a 1974 STATL Mobile Home, Oregon License #106417, which is affixed to the real property described herein. - Klamath County Tax Account #3008-3100-1200 and M106417.

\*\*By Appointment of Successor Trustee, recorded October 16, 1990, Neal G. Buchanan, Attorney at Law, was appointed Successor Trustee

\*Lightner Trust u/a/d April 5, 1983, as to an undivided 1/8th interest and F. Darlene Lightner and Micki Jo Herman, Trustees of the F. Darlene Lightner u/a/d April 5, 1983, as to an undivided 7/8th interest Trust

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 payment in the sum \$651.83 due June 26, 1990, and the further sum of \$651.83 due the 26th day of each and every month thereafter.
- Together with real property taxes paid by the beneficiary in the total amount of \$726.22
- Failure to maintain insurance on the premises.

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:

\$73,233.17, together with interest on said <sup>sum</sup> at the rate of 9 $\frac{1}{2}$ % per annum from October 11, 1990, until paid; delinquent real property taxes paid by the beneficiary in the sum of \$726.22.

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 86.703 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 attorney.

Said sale will be held at the hour of 1:10 o'clock, P. M., in accord with the standard of time established by ORS 187.110 on January 31, 1992, at the following place: 601 Main Street, Suite 215

Klamath

in the City of Klamath Falls, County of , State of Oregon, which is the hour, date and place last set for said sale.

91 SEP 12 PM 3 17

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 \_\_\_\_\_

SEE EXHIBIT A attached hereto and incorporated by this reference as if fully set forth.

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: September 12, 19 91

*Neal G. Buchanan*  
NEAL G. BUCHANAN, Successor Trustee  
Trustee Beneficiary (State which)

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

STATE OF OREGON, } ss.  
County of Klamath }  
The foregoing instrument was acknowledged before me this September 12, 19 91, by NEAL G. BUCHANAN, Successor Trustee

(ORS 194.57)

STATE OF OREGON, County of \_\_\_\_\_ ss.  
The foregoing instrument was acknowledged before me this \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_, president, and by \_\_\_\_\_, secretary of \_\_\_\_\_ a \_\_\_\_\_ corporation, on behalf of the corporation.  
\_\_\_\_\_  
Notary Public for Oregon (SEAL)  
My commission expires: \_\_\_\_\_

VIVIANNE F. HUSTEAD  
NOTARY PUBLIC FOR OREGON  
My commission expires: 4/11/93

NOTICE OF DEFAULT AND ELECTION TO SELL  
(FORM No. 884)

Re: Trust Deed From  
James H. Goslin and Mary E. Goslin Grantor  
To  
Mountain Title Company of Klamath County Trustee  
AFTER RECORDING RETURN TO  
NEAL G. BUCHANAN  
Attorney at Law  
601 Main Street, Suite 215  
Klamath Falls, OR 97601

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, } ss.  
County of \_\_\_\_\_ }  
I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_.  
Record of Mortgages of said County.  
Witness my hand and seal of County affixed.  
\_\_\_\_\_  
NAME TITLE  
By \_\_\_\_\_ Deputy

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## EXHIBIT A

## NAME AND LAST KNOWN ADDRESS

## NATURE OF RIGHT, LIEN OR INTEREST

James H. Goslin and Mary E. Goslin  
Rt. 1, Box 399  
Springfield, MO 65803  
(individually and dba GOSLIN STABLES)

Grantors

Lewis Eugene Hawks and Lois Paulette  
Hawks  
Rt. 1, Box 369  
Springfield, MO 65803

Claimants pursuant to Klamath County Circuit  
Court Case No. 90-1851CV

Mark E. Fitzsimmons  
FITZSIMMONS, SCHROEDER  
P.O. Box 50575  
Springfield, MO 65806

Attorney for Debtors Lewis Hawks and Lois  
Paulette Hawks

Thomas J. O'Neal  
P.O. Box 10138 G.S.  
Springfield, MO 65805

Interim Trustee, Bankruptcy Estate of Lewis  
Eugene Hawks and Lois Paulette Hawks

Donald M. Ratliff  
Attorney at Law  
228 North 7th  
Klamath Falls, OR 97601

Attorney for Plaintiffs, Lewis Eugene Hawks  
Hawks and Lois Paulette Hawks

Richard S. Fairclo  
Attorney at Law  
280 Main Street  
Klamath Falls, OR 97601

Attorney for James H. Goslin and Mary E.  
Goslin

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal G. Buchanan the 12th day  
of Sept. A.D. 19 91 at 3:17 o'clock P.M., and duly recorded in Vol. M91  
of Mortgages on Page 18412

FEE \$18.00

Evelyn Biehn • County Clerk  
By Randee Mullendore