39337

NOTICE OF DEFAULT AND ELECTION TO SELL

This is given in reference to that certain trust deed made by Javier F. Granados and Tyyne M. Granados, husband and wife, as grantors, in favor of Columbia Community Bank, as beneficiary, dated February 2, 1984, and recorded on October 14, 1985, in volume M85 at pages 16622-16625, of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said County and State, to-wit:

Lots 4 and 5, Block 18, Industrial Addition to the City of Klamath Falls, 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 Klamath County 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.

Instituted, such action has been dismissed. There is a default by the grantors or other persons 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 grantors' failure to pay when due the following sums:

Failure to pay entire balance plus interestDecember 31, 1984 when dueFailure to pay real property taxes whendue 1982-1990

By reason of said default, the beneficiary declares all sums owing on the obligation secured by said Trust Deed immediately due and payable said sums being the following, to-wit:

December 3, 1984 Principal and Interest	- \$15,198.94
Real Property Taxes	- \$ 4,699.83
Interest January 1, 1985 through December 31, 1991 on February 2, 1984 Note	- \$18,618.70; - \$ <u>2,492.94</u> . _ \$41,010.41

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 Oregon Revised Statutes Sections 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 2:00 P.M., Pacific Daylight Time, as established by Section 187.110 of Oregon Revised Statutes on June 2, 1992, at the following place: 403 Pine Street, 3rd Floor, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place listed by the trustee 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

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of any lessee or other person in possession or occupying the property.

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five (5) days before the date 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 Section 86.753 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantors" includes any successor in interest to the grantors as well as any other persons 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 : ander 31, 1991. Trustee STATE OF OREGON ss. County of Klamath This instrument was acknowledged before me on this dav icember !! _, 1991, by 🏋 eginald ά OFFICIAL SEAL

LEANNE R. MITCHEL NOTARY PUBLIC-OREGON COMMISSION NO. 007959 MY COMMISSION EXPIRES SEPT. 28,1995

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from Javier F. Granados and Tynne M. Granados Grantors

to <u>Columbia Community Bank</u>

Trustee

After recording return to:

Reginald R. Davis Klamath County Counsel 403 Pine Street, 3rd Floor Klamath Falls, OR 97601 STATE OF OREGON)) COUNTY OF KLAMATH)

My Commission expires:

Notary Public for

I certify that the within instrument was received for record on the <u>31st</u> day of <u>Dec.</u>, 1991, at <u>4:26</u> o'clock <u>P</u>M., and recorded in book/reel/volume No. <u>M91</u>, on page <u>27339</u>, or as fee/file/ instrument/microfilm/reception No. <u>39337</u>, Record of Mortgages of said County. Witness my hand and seal of

Orègor

ss.

County affixed.

Evelyn Biehn, County Clerk Name Title By Queline Mullendere Deputy

Fee- None

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