

NL

411930

Vol. 92 Page 4816

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Charles T. Bennett

as grantor, to Mountain Title Co. Inc. as trustee, in favor of Highland Community Federal Credit Union as beneficiary, dated April 4, 1985, recorded April 4, 1985, in the mortgage records of Klamath County, Oregon, in ~~book~~ volume No. M85 at page 4932. ~~the file/instrument/microfilm/reception No.~~ (indicate which), covering the following described real property situated in the above-mentioned county and state, to-wit:

All of Lot 2, Block 4, ALTAMONT ACRES, excepting therefrom:
The East 90 feet of said Lot 2; the South 75 feet of said Lot 2; and
the West 102 feet of said Lot 2.

All of Lot 1, Block 4, ALTAMONT ACRES, excepting therefrom:
The East 90 feet of said Lot 1; and the West 102 feet of said Lot 1,
according to the official plat thereof on file in the office of the
County Clerk 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 situated, further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the 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 the trust deed, or by the 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 \$203.23 each from August 25, 1991 and on the 25th day of each month thereafter, and monthly installments of \$100 each from August 20, 1991 and the 20th day of each month thereafter, together with real property taxes for 1990-91 in the amount of \$193.36 plus interest and 1991-92 taxes in the amount of \$189.25 plus interest.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit: \$11,576.42 plus interest accumulating after 2/11/92 and \$3,928.50 plus interest accumulating after 2/11/92 and real property taxes in the amounts of \$193.36 (1990-91) and \$189.25 (1991-92)

— OVER —

NOTICE OF DEFAULT AND ELECTION TO SELL

Re: Trust Deed from
Charles T. Bennett

Grantor
TO
Mountain Title Co. Inc.

Trustee
After recording return to (Name, Address, Zip):
Donald R. Crane
635 Main Street
Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,
County of _____ } ss.

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/title/instrument/microfilm/reception No. _____, Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

NAME TITLE
By _____, Deputy

11 3 AM 5 PM 26



Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the 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 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 successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the 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.

The 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 July 17, 1992, at the following place: the main entrance to the Klamath County Courthouse, 316 Main St., in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Other than as shown of record, neither the beneficiary nor the 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

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 the 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 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Donald R. Crane
Donald R. Crane

DATED March 9, 1992

Trustee Beneficiary (state which)

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on March 9, 1992, by Donald R. Crane

This instrument was acknowledged before me on March 9, 1992, by Donald R. Crane

as Trustee

of Klamath Falls, Oregon



Kristin A. Baum
Notary Public for Oregon

My commission expires 11/15/92

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Donald R. Crane the 9th day of March A.D., 19 92 at 3:14 o'clock P M., and duly recorded in Vol. M92 on Page 4816 of Mortgages

Evelyn Biehn County Clerk

By Quaker Mueland

FEE \$15.00