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Vol. M93 Page 9383

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by LEANN MICHELLE MATTSON

....., as grantor, to  
MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY....., as trustee, \*\*\*  
KIMBERLY K. CANFIELD....., as beneficiary,  
 in favor of April 22, 19 91, recorded April 23, 19 91, in the mortgage records of  
 dated Klamath County, Oregon, in Book/Reel/volume No. M91 at page 1378, or as  
fee/file/instrument/microfilm/reception No. 28458..... (indicate which), covering the following described real  
 property situated in the above-mentioned county and state, to-wit:

SEE EXHIBIT A, ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN AS IF  
 FULLY SET FORTH.

\*\*\*By Appointment of Successor Trustee dated January 27, 1993 and recorded in  
 Vol. M93, page 2236, Neal G. Buchanan, attorney at law, was appointed  
 Successor Trustee.

*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 payment in the amount of \$200.00 due the 20th day of January, 1993, with a like  
 payment due the 20th day of each and every month thereafter; and failure to pay real  
 property taxes when due; and failure to maintain the first encumbrance on the real property  
 (Trust Deed recorded Vol. M88, page 19185) in accordance with paragraph 5 of the Trust  
 Deed.*

*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:*

1) principal balance in the sum of \$14,337.35, together with interest on said sum at the  
 rate of 8% per annum from March 3, 1993 until paid; and 2) real property taxes for the  
 tax years and in the amounts as follows:

SEE EXHIBIT B

— OVER —

NOTICE OF DEFAULT  
AND ELECTION TO SELL

Re: Trust Deed from

Leann Michelle Mattson

Grantor

TO

Mountain Title Company of Klamath  
County  
(Neal G. Buchanan as successor)  
 Trustee

After recording return to (Name, Address, Zip):

Neal G. Buchanan  
601 Main Street, Suite 215  
Klamath Falls, Oregon 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/file/instru-  
 ment/microfilm/reception No.....,  
 Record of Mortgages of said County.*

*Witness my hand and seal of  
 County affixed.*

NAME

TITLE

By ....., Deputy

2500

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 1:30 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on September 7, 1993, at the following place: 601 Main Street, Suite 215, First Interstate Bank Building 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

Leann Michelle Mattson  
14114 Stateline Road  
Merrill, Oregon 97633

Grantor

Mr. Kim Mattson  
14114 Stateline Road  
Merrill, Oregon 97633

Party in Possession

14108 Stateline Road  
Merrill, Oregon 97633

Tenant or Party in Possession

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.

DATED April 30, 1993

Neal G. Buchanan  
NEAL G. BUCHANAN

Successor  
Trustee

Beneficiary

(state which)

STATE OF OREGON, County of Klamath, ss.

This instrument was acknowledged before me on April 30, 1993  
by Neal G. Buchanan

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_,

by \_\_\_\_\_

as \_\_\_\_\_

of \_\_\_\_\_



OFFICIAL SEAL  
MARSHA COBINE  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 010787  
MY COMMISSION EXPIRES NOV. 07, 1993

Marsha Cobine

Notary Public for Oregon

My commission expires 11-7-93

## LEGAL DESCRIPTION

## PARCEL 1:

Commencing at a point on the South line of Lot 4, Section 14, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, and which lies West a distance of 104.3 feet from the Southeast corner of said Lot 4, extending thence West along the South line of said Lot 4 a distance of 104.3 feet; thence North at right angles a distance of 208.6 feet; thence East and parallel to the said South line of said Lot 4, a distance of 104.3 feet; thence South a distance of 208.6 feet, more or less, to the point of beginning.

## PARCEL 2:

The North half of the following described real property:

Commencing at a point on the South line of Lot 4, Section 14, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, which point is a distance of 208.6 feet West from the Southeast corner of said Lot 4; thence West along the South line of said Lot 4 a distance of 208.6 feet; thence North at right angles a distance of 208.6 feet; thence East and parallel to the said South line of said Lot 4 a distance of 208.6 feet; thence South a distance of 208.6 feet, more or less, to the point of beginning.

The above described property being in Section 14, Township 41 South, Range 10 East of the Willamette Meridian.

## PARCEL 3:

The following described real property in Klamath County, Oregon:

The South half of the following described property:

A portion of Lot 4, Section 14, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point on the South line of said Lot 4, Section 14, which lies West 208.6 feet from the Southeast corner of said Lot; thence West along the South line of said Lot 208.6 feet; thence North at right angles 208.6 feet; thence East and parallel to said South line of said Lot 4, 208.6 feet; thence South 208.6 feet, more or less, to the point of beginning.

TOGETHER WITH a 1973 Champion Mobile Home, license # X87474, which is firmly affixed to the above described real property.

EXHIBIT B  
to  
Notice of Default and Election to Sell

|             |         |                        |
|-------------|---------|------------------------|
| R102132     | 1991-92 | \$427.41 plus interest |
|             | 1992-93 | 366.48 plus interest   |
| R102141     | 1991-92 | 21.91 plus interest    |
|             | 1992-93 | 18.78 plus interest    |
| M39078      | 1991-92 | 146.19 plus interest   |
|             | 1992-93 | 125.35 plus interest   |
| Warrant Fee |         | 15.00                  |

3) all costs and expenses actually incurred in enforcing the obligation of the Trust Deed, together with trustee's and attorney's fees pursuant to paragraph 13 of the Trust Deed, together with such additional sums as are necessary to be paid to maintain the first Trust Deed in force, as provided by paragraph 5 of the Trust Deed.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal Buchanan the 30th day  
of April A.D., 1993 at 1:49 o'clock P.M., and duly recorded in Vol. M93  
of Mortgages on Page 9383

Evelyn Biehn County Clerk

By Shirley

FEE \$25.00

2.00 Copy