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## APPOINTMENT OF SUCCESSOR TRUSTEE

KNOW ALL MEN BY THESE PRESENTS, that Josephine N. Murillo, is the grantor, and ASPEN TITLE & ESCROW, INC., is the trustee, and Patricia Jean Hardy is the beneficiary under that certain trust deed dated August 23, 1985, and recorded on August 26, 1985, in book/reel/volume No. M85 at page 13473 of the Mortgage Records of Klamath County, Oregon.

The undersigned, who is the present beneficiary under said trust deed desires to appoint a new trustee in the place and stead of the original trustee named above;

NOW THEREFORE, in view of the premises, the undersigned hereby appoints SCOTT D. MACARTHUR, whose address is under said trust deed, he to have all the powers of said original trustee, effective forthwith.

In construing this instrument and whenever the context hereof so required, the masculine gender includes the feminine and the neuter and the singular number includes the plural.

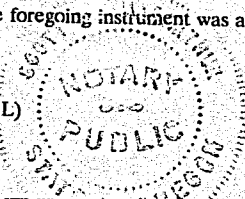
IN WITNESS WHEREOF, the undersigned beneficiary has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: May 21, 1993

Patricia Jean Hardy  
Patricia Jean Hardy

The foregoing instrument was acknowledged before me this 21 day of May, 1993, by PATRICIA JEAN HARDY.

(SEAL)



APPOINTMENT OF  
SUCCESSOR TRUSTEE

RE: Trust Deed from  
Josephine n. Murillo

Grantor

SCOTT D. MACARTHUR  
KOSTA, SPENCER & MacARTHUR  
439 Pine Street  
Klamath Falls, OR 97601

Trustee

After recording return to:

KOSTA, SPENCER & MacARTHUR  
439 Pine Street  
Klamath Falls, OR 97601

Before me: Scott D. MacArthur  
Notary Public for Oregon  
My Commissioner Expires: 10/15/93

STATE OF OREGON, County of Klamath)ss.

I certify that the within instrument 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. \_\_\_\_, Recorded of Deeds of said County.

Witness my hand and seal of County affixed.

Name \_\_\_\_\_ Title \_\_\_\_\_  
By \_\_\_\_\_ Deputy \_\_\_\_\_

62614

# NOTICE OF DEFAULT AND ELECTION TO SELL

13064

RE: Trust Deed from Josephine N. Murillo, Grantor  
TO Patricia Jean Hardy, Beneficiary

## AFTER RECORDING RETURN TO:

Kosta, Spencer & MacArthur  
439 Pine Street  
Klamath Falls, OR 97601

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by JOSEPHINE N. MURILLO, as grantor, to ASPEN TITLE & ESCROW, INC., as trustee, in favor of PATRICIA JEAN HARDY, as beneficiary, dated August 23, 1985, recorded August 26, 1985, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M85 at page 13473, covering the following described real property situated in said county and state, to-wit:

Lot 13, Block 212 MILLS ADDITION to the city of Klamath Falls, 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 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.

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:

Taxes from 1992-1993 in the amount of \$532.80, plus interest which is due and owing.  
Taxes from 1991-1992 in the amount of \$542.98, plus interest which is due and owing.

Payments in the amount of \$250 per month from January 1993 through the present.

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: \$26,290.60 as of December 20, 1992, plus interest.

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 compensation of the trustee as provided by law, and the reasonable fees of trustee's attorney.

Said sale will be held at the hour of 10:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on October 11, 1993, at the following place: 439 Pine Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee of said sale.

Other than as shown of record, neither the said beneficiary or 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

Josephine N. Murillo  
2135 Wantland  
Klamath Falls, OR 97601

Forrest C. Tait  
2135 Wantland  
Klamath Falls, OR 97601

Cathalyne M. Tait  
2135 Wantland  
Klamath Falls, OR 97601

### NATURE OF RIGHT, LIEN OR INTEREST

Default upon assignment  
of the Trust Deed

Default upon assignment  
of the Trust Deed

Default upon assignment  
of the Trust Deed

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 days before the trustee conducts 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 "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: June 4, 1993.

Scott D. MacArthur  
Scott D. MacArthur  
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 4th day of June, 1993, by Scott D. MacArthur.

(S E A L)



Before me: Camille Krieger  
Notary Public for Oregon  
My Commissioner Expires: 9-22-96

S  
STATE OF OREGON, ss.  
I County of Klamath

c  
v Filed for record at request of:

v on this 7th day of June A.D., 19 93  
at 2:27 o'clock P M. and duly recorded  
in Vol. M93 of Mortgages Page 13063

E Evelyn Biehn County Clerk

By Quinn Mulendore  
Deputy.

Fee, \$20.00