

74891

FORM No. 884—NOTICE OF DEFAULT AND ELECTION TO SELL—Oregon Trust Deed Series

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APPROVED RECORDING RETURN TO:

George C. Reinmiller
521 SW Clay, Suite 200
Portland, OR 97201

K-45879

Vol. M94 Page 2424

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by E. O. Christensen and Lan T. Christensen, husband and wife, as grantor, to Klamath County Title Company, as trustee,in favor of Willamette Savings & Loan Association, (a division of American Savings & Loan Association), as beneficiary, dated February 28, 1983, recorded March 3, 1983, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M83, at page 3301, fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real property situated in said county and state, to-wit:

That portion of Government Lot 10, Section 8, Township 35 South, Range 7 East of the Willamette Meridian, lying East of State Highway No. 62 Plus all fixtures and mobile homes, if any, located thereon.

BENEFICIAL Interest assigned to First Security Bank of Utah, N.A. by instrument recorded January 18, 1991 in Vol. M91, Pg. 1223, and re-recorded May 15, 1992, Vol. M92, Pg. 10589, Klamath County Records.

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 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 installments of \$529.00 each, commencing with the payment due July 1, 1992, and continuing each month until this trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$257.44 as of November 5, 1993 and further late charges of \$16.09 on each delinquent payment thereafter, plus all fees, costs and expenses associated with this foreclosure, all sums expended by the beneficiary to protect the property or its interest therein during the pendency of this proceeding, evidence that taxes are paid as provided by the terms of the Trust Deed, and plus the deficit reserve account balance of \$1,585.29.

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: The sum of \$33,885.14 with interest thereon at the rate of 12.00% per annum from June 1, 1992, until paid; plus all sums expended by beneficiary to protect the property or its interest therein during the pendency of this proceeding, evidence that taxes are paid as provided by the terms of the Trust Deed, and plus the deficit reserve account balance of \$1,585.29.

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 86.705 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 grantor of the trust deed, together with any interest the grantor or grantor's 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 1:00 o'clock, P. M., in accord with the standard of time established by ORS 187.110 on May 26, 1994, at the following place: front door in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set 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 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 the principal and interest payable on said mortgage shall be paid to the trustee or to the person designated by the trustee in the instrument creating the mortgage, and that the trustee shall not be responsible for the payment of the principal and interest on said mortgage unless the same are paid to the trustee or to the person designated by the trustee in the instrument creating the mortgage.

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 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 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 January 11, 1994

GEORGE C. REINMILLER Successor-Trustee

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

STATE OF OREGON

STATE OF OREGON

County of Multnomah

County of

This instrument was acknowledged before me on January 11, 1994, by GEORGE C. REINMILLER

This instrument was acknowledged before me on January 11, 1994, by

[Signature]
Notary Public for Oregon



OFFICIAL SEAL
PHYLLIS E. SODERLUND
NOTARY PUBLIC - OREGON
COMMISSION NO. 004846
MY COMMISSION EXPIRES FEB. 22, 1995

My commission expires:

My commission expires:

(SEAL)

NOTICE OF DEFAULT AND ELECTION TO SELL

STEVENS-NEES LAW PUBL. CO., PORTLAND, OR.

Re: Trust Deed From
E. O. Christensen and Lan T. Christensen
Grantor
Klamath County Title Company
Trustee

AFTER RECORDING RETURN TO

STATE OF OREGON

County of Klamath

Certify that the within instrument was received for record on the 25th day of January, 1994, at 11:09 o'clock A.M. and recorded in book/reel/volume No. 1994 on page 2424 or as fee/file/instrument/microfilm/reception No. 74891. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn County Clerk

NAME Annette Mueller TITLE Deputy

Fees: \$15.00

7837-86601-5019212762 CHRISTENSEN/HEIGES