

OK 05-24-94A10:25 RCVD

81511

MTC 1396-7039

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. M64

Page 16352

Reference is made to that certain trust deed made by \_\_\_\_\_, as grantor, to  
TAMMY RODGERS \_\_\_\_\_, as trustee,  
MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY \_\_\_\_\_, as beneficiary,

in favor of LLOYD M. HANKS and BETTY S. HANKS, or the survivor thereof \_\_\_\_\_, as beneficiary,  
dated September 22, 1993, recorded September 23, 1993, in the mortgage records of  
Klamath \_\_\_\_\_ County, Oregon, in book/leaf/volume No. M93 \_\_\_\_\_ at page 24465, and  
~~the trust deed made by Lloyd M. Hanks and Betty S. Hanks, or the survivor thereof, as grantor, to~~  
\_\_\_\_\_ covering the following described real  
property situated in said county and state, to-wit:

Lot 11 in Block 6 of STEWART, 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 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: Balance of the payment due January 22, 1994, in the amount of \$33.54;  
Payment due February 22, 1994, in the amount of \$157.73; Payment due March  
22, 1994, in the amount of \$157.73; Payment due April 22, 1994, in the  
amount of \$157.73. 1993-94 real property taxes in the amount of \$324.73,  
plus interest.

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 balance due on the promissory note secured by said Deed of Trust in the  
amount of \$12,982.33, plus interest at the rate of 8% from March 29, 1994,  
and real property taxes for 1993-94 in the amount of \$324.73, 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 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 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 rea-  
sonable fees of trustee's attorneys.

Said 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 Oct 14, 1994, at the following place: in front of Mountain Title  
Company of Klamath County, 222 South Sixth \_\_\_\_\_ 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
Harvest Auto Credit, Inc. P.O. Box 7309 Klamath Falls, OR 97602	Judgment in the amount of \$2,521.85, plus 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 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 ORS 86.753.

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: May 17, 1994

Joel B. Reeder OSB #58079

Successor Trustee

(If the signer of the above is a corporation, use the term of acknowledgment opposite.)

STATE OF OREGON,

County of Jackson

The foregoing instrument was acknowledged before me this May 17, 1994, by

JOEL B. REEDER, Successor Trustee

(ORS 194.570)

STATE OF OREGON, County of \_\_\_\_\_ ss.

The foregoing instrument was acknowledged before me this

\_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_,

\_\_\_\_\_, president, and by \_\_\_\_\_,

\_\_\_\_\_, secretary of \_\_\_\_\_,

a \_\_\_\_\_ corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires:

(SEAL)



OFFICIAL SEAL Notary Public for Oregon

PHYLLIS R. LUCIER

NOTARY PUBLIC FOR OREGON

COMMISSION NO. 011938

MY COMMISSION EXPIRES JAN 8, 1996

**NOTICE OF DEFAULT AND ELECTION TO SELL**  
(FORM No. 884)

STEVENS-NESS LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From

TAMMY RODGERS

Grantor

To

MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY

Trustee

AFTER RECORDING RETURN TO

Joel B. Reeder, P.C.  
Attorney at Law  
116 Mistletoe Street  
Medford OR 97501

SPACE RESERVED FOR RECORDER'S USE

Fee \$15.00

STATE OF OREGON,

County of Klamath ss.

I certify that the within instrument was received for record on the 24th day of May, 1994, at 10:25 o'clock A.M., and recorded in book/reel/volume No. M94 on page 16352 or as fee/file/instrument/microfilm/reception No. 81511, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By Pauline M. Mulholland Deputy