

93197

01-04-95A11:21 RCVD  
NOTICE OF DEFAULT AND ELECTION TO SELL;  
NOTICE OF SALE  
(ORS 86.705 et seq)

Volume Page 1569  
165

NOTICE IS HEREBY GIVEN that the obligation secured by the Trust Deed described below is in default and that the beneficiary has elected to foreclose the Trust Deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the Trust Deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. GRANTOR: B. E. SMITH  
TRUSTEE: CONTINENTAL LAWYERS TITLE COMPANY, a California corporation  
SUCCESSOR TRUSTEE: James L. Grantland, Jr.  
BENEFICIARY: DON L. HILTON or GARNET A. HILTON,  
original beneficiary DIANA L. SMITH
2. The real property covered by the Trust Deed is more particularly described as follows:  
N 1/2 SE 1/4 of Section 3, Township 38 South, Range 15  
East of the Willamette Meridian, Klamath County, Oregon.
3. The Trust Deed was recorded:  
As Instrument No. 45423, Volume M92, Page 11524.
4. The default for which foreclosure is made:  
Failure to make the monthly installments in the amount of \$173.78 each beginning with the payment due September 29, 1994 and each month thereafter.
5. The sum owing on the obligation secured by the Trust Deed is:  
\$19,535.38 plus interest at the rate of 10% per annum  
from August 29, 1994 plus unpaid real property taxes.

AFTER RECORDING, RETURN TO:

James L. Grantland, Jr.  
Attorney at Law  
204 West Ninth Street  
Medford, OR 97501

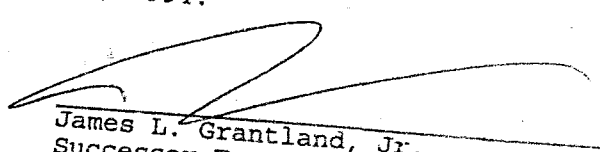
-1- NOTICE OF DEFAULT AND ELECTION TO SELL;  
NOTICE OF SALE

Law Offices Of  
GRANTLAND, GRENSKY & BLODGETT  
204 West 9th St.  
Medford, OR 97501  
(503) 773-8712

25

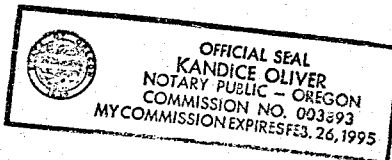
6. The beneficiary has and does elect to sell the property to satisfy the obligation.
7. The property will be sold in the manner prescribed by law on May 15, 1995, at 10:00 o'clock, A.M., as established by ORS 187.110 at 830 Klamath Avenue, Klamath Falls, Oregon.
8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date the successor trustee conducts the sale.


DATED this 30 day of December, 1994.

  
James L. Grantland, Jr.  
Successor Trustee

STATE OF OREGON )  
 ) ss.  
County of Jackson )

Personally appeared before me this 30 day of December, 1994, the above named James L. Grantland, Jr. and acknowledged the foregoing instrument to be his voluntary act and deed.



  
Kandice Oliver  
Notary Public for Oregon  
My Commission Expires: 2/26/95

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Grantland et al  
of Jan A.D., 19 95 at 11:21 o'clock A.M. and duly recorded in Vol. 6th  
of Mortgages on Page 165  
FEE \$15.00  
Bernetha G. Letsch County Clerk  
INDEXED By [Signature]

-2- NOTICE OF DEFAULT AND ELECTION TO SELL;  
NOTICE OF SALE

1571

STATE OF OREGON,

County of Jackson

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

ss.

I, James L. Grantland, Jr.,  
being first duly sworn, depose, say and certify that:  
I am the successor

B. E. Smith trustee in that certain trust deed executed and delivered by  
to Continental Lawyers Title Company, a California corporation as grantor  
in which Diana L. Smith is beneficiary, recorded on May 28, 1992, in the mortgage records of Klamath  
County, Oregon, in book/reel/volume No. M92, at page 11524, or as fee/file/instrument/microfilm/recep-  
tion No. (indicate which), covering the following described real property situated in said county:

N1/2 SE 1/4 of Section 3, Township 38 South, Range 15 East of the  
Willamette Meridian, Klamath County, Oregon.

I hereby certify that on January 19, 1995, the above described real property was not occupied  
The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed  
first mentioned above.

Subscribed, sworn to and acknowledged before me this 19 day of January, 1995.

James L. Grantland, Jr. Successor Trustee  
Kandice Oliver  
Notary Public for Oregon

(SEAL)



OFFICIAL SEAL  
KANDICE OLIVER  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 003893  
MY COMMISSION EXPIRES FEB. 26, 1995

My Commission expires: 2/26/95

TRUSTEE'S AFFIDAVIT  
AS TO NON-OCCUPANCY

RE: Trust Deed from  
B.E. Smith

to Grantor  
Continental Lawyers Title  
Company Trustee

AFTER RECORDING RETURN TO  
Grantland, Grensky & Blodgett  
204 West Ninth Street  
Medford OR 97501

(DON'T USE THIS  
SPACE: RESERVED  
FOR RECORDING  
LABEL IN COUNTIES  
WHERE USED.)

STATE OF OREGON,  
County of Klamath } ss.  
I certify that the within instrument  
was received for record on the 23rd day  
of Jan 19 95.  
at 3:26 o'clock P M., and recorded  
in book/reel/volume No. M95 on  
page 1567 or as fee/file/instru-  
ment/microfilm/reception No. 93902  
Record of Mortgages of said County.  
Witness my hand and seal of  
County affixed.

Bernetha G. Letsch, County Clerk  
NAME TITLE  
By Pauline M. M... Deputy