

'97 APR 14 P3:54

96-12073

Atc: 04045646

TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Daren H. Dixon, a single man as grantor, to Mountain Title Company, as Trustee, in favor of North American Mortgage Company as Beneficiary, dated October 12, 1994, recorded October 18, 1994, in the mortgage records of Klamath County, Oregon, in Book No. M94 at Page 32343, beneficial interest having been assigned to HomeSide Lending, Inc. f/k/a BancBoston Mortgage Corporation, covering the following described real property:

Lot 16 in Block 209 of MILLS SECOND 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.
COMMONLY KNOWN AS: 2163 Radcliffe Avenue, Klamath Falls, OR 97601

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments in the sum of \$691.19 from March 1, 1996, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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 sum being the following, to-wit:

\$66,251.75, together with interest thereon at the rate of 9.00% per annum from February 1, 1996 together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 7, 1997 at the hour of 11:00 o'clock A.M., in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Jail, located at 3201 Vandenberg Road in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor has or had power to convey at the time of the execution of said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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

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of the entire amount 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 obligations 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.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose.

KELLY D. SUTHERLAND
Successor Trustee

Dated 12/14/96

By: 

State of Oregon, County of Multnomah ss:

I, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale

SHAPIRO & KREISMAN
522 SW 5th Avenue
Suite 825
Portland, Oregon 97204
(503) 241-0772

Lender Loan #: 388870-6

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 14th day
of April A.D., 19 97 at 2:54 o'clock P. M., and duly recorded in Vol. M97
of Mortgages on Page 11045

FEE \$15.00

Bernetha G. Letsch, County Clerk
by Kathleen K. Kneel