

SK

48980

Vol. <sup>m</sup>78 Page 11113

NOTICE OF DEFAULT AND ELECTION TO SELL

Frank E. Kennemur and Elaine C. Kennemur, husband and wife, as grantor, made, executed and delivered to Klamath County Title Company, as trustee, to secure the performance of certain obligations including the payment of the principal sum of \$ 9,240.09 in favor of Martin Development Corporation, as beneficiary, that certain trust deed dated August 11, 1976, and recorded August 17, 1976, in book M76 at page 12685, of the mortgage records of Klamath County, Oregon, or as file number, reel number (indicate which), covering the following described real property situated in said county:

Lot 3 in Block 8 of Pinecrest 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 and that the beneficiary is the owner and holder of the obligations, the performance of which is secured by said trust deed; further, that no action, suit or proceeding has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action or proceeding has been instituted, such action or proceeding has been dismissed.

There is a default by the grantor owing the obligations, the performance of which is secured by said trust deed, with respect to provisions therein which authorize sale in the event of default of such provision, in that the grantor has failed to pay, when due, the following sums thereon:

July 1, 1977: \$105.89	April 1, 1978: \$105.89
August 1, 1977: \$105.89	May 1, 1978: \$105.89
September 1, 1977: \$105.89	
October 1, 1977: \$105.89	
November 1, 1977: \$105.89	
December 1, 1977: \$105.89	
January 1, 1978: \$105.89	
February 1, 1978: \$105.89	
March 1, 1978: \$105.89	

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the foreclosure mentioned below is made.

By reason of said default, the beneficiary has declared all obligations secured by said trust deed immediately due, owing and payable, said sums being the following, to-wit:

\$9,240.09 together with interest at 9-3/4% per annum from June 1, 1977.

NOTICE OF SALE

Notice hereby is given that the undersigned, by reason of said default, has elected and he hereby does 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 a reasonable charge by the trustee as provided by law, and the reasonable fees of trustee's attorneys.

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 12, 1978, at the following place: 422 Main Street, Klamath Falls, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee for said sale.

**11114**

NATURE OF RIGHT, LIEN OR INTEREST

Verbal or written option  
not recorded.

Verbal or written option  
not recorded.

In construing this notice and whenever the context hereof so requires, 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 each and all other persons owing an obligation, the performance of which is secured by said trust deed, the word "trustee" includes any successor-trustee, and the word "beneficiary" includes any successor in interest of the beneficiary first named above.

KLAMATH COUNTY TITLE CO.  
By [Signature] Secretary  
[Signature] (State which)

KLAMATH COUNTY TITLE CO.  
By Dark Punnell  
Trustee Beneficiary--

**Secretary**  
(State which)

(FORM No. 334)

# DEED

## Grantor

## Trustee

STATE OF OREGON

County of Klamath  
I certify that the within instru-  
ment was received for record on the  
25th day of May, 1978  
at 2:55 o'clock PM., and recorded  
in book M78 on page 11113  
or as file number 48980  
Record of Mortgages of said County.  
[Signature] hand and seal of

County affixed.

Wm. D. Atlee.

County Clerk

Dr. Kenneth S. O'Brien

56.00

**RETURN TO**

DATE	DESCRIPTION	AMOUNT	TOTAL
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1891	...	...	...
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2005	...		

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

(ORS 93.490)

use the form of acknowledgment  
COMPTON  
STATE OF OREGON  
1962

STATE OF OREGON, County of Klamath  
May 24 1978  
Darle Runn

May 24  
Personally appeared

1978  
Darle Runnels

Personally appeared the above named

and acknowledged the foregoing instrument to be

IN 1960 IN "INFLUENT DEACTORION"

TO RECEIVE BY: Before me: 11/22  
(OFFICIAL) 11/22

**SEAL)** Notary Public for Oregon  
My commission expires:

13250

May 11, 1904

Personally appeared \_\_\_\_\_ who, being duly sworn, deposes and says that the former is the author of the instrument and that the latter is the secretary of Klamath County Title Co., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be his voluntary act and deed.

(OFFICIAL)

Before me:  
Carolyn DeVos  
Notary Public for Oregon  
3-20

Notary Public for Oregon  
My commission expires:

My commission expires: \_\_\_\_\_

(OFFICIAL  
SEAL)

78280