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89159

Vol. M-80 Page 16375

NOTICE OF DEFAULT AND ELECTION TO SELL

Dolores Elaine Paulauskis Von Rusmisl, as grantor,
made, executed and delivered to Transamerica Title Insurance Company, as trustee,
to secure the performance of certain obligations including the payment of the principal sum of \$34,000.00
in favor of Richard L. Gardiner, as beneficiary,
that certain trust deed dated August 24, 1979, and recorded August 29, 1979,
in Book/Ref. Volume No. M-79 at page 20581, as beneficiary, by the instrument recorded
in the mortgage records of Klamath County, Oregon,
covering the following described real property situated in said county:

The North 704 feet of the East 2475 feet of the
SE 1/4 of Section 30, Township 35 South, Range
12 East of the Willamette Meridian, in Klamath
County, Oregon.

(Beneficial interest assigned by instrument recorded January 28, 1980, in Volume No. M-80, Page 1767, to Michael W. Hyde and Rebecca Sue Hyde.)

JAMES UERLINGS appointed Successor Beneficiary by instrument; Dated August 22, 1980, recorded August 26, 1980, in Vol. M-80, Page 16217 Records of Klamath County.

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:

Property Taxes

\$350.00	due	March 29, 1980	79-80	\$84.12	plus interest
\$350.00	due	April 29, 1980	78-79	73.94	plus interest
\$350.00	due	May 29, 1980	77-78	69.44	plus interest
\$350.00	due	June 29, 1980			
\$350.00	due	July 29, 1980			
\$350.00	due	August 29, 1980			

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:

Principle of \$33,591.54 plus interest at 10 percent per annum from August 29, 1979, until paid, plus late charges of \$17.50 per payment per month.

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 11:00 o'clock, A.M., Standard Time, as established by Section 187.110 of Oregon Revised Statutes on January 29, 1981, at the following place: Law office of James R. Uerlings, 110 N 6th St - Suite 209 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.

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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

NONE

Notice is further given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred), together with costs, trustee's and attorney's fees, at any time prior to five days before the date set for said sale.

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.

DATED: September 1, 19 80

(If executed by a corporation,
affix corporate seal)

Trustee

Beneficiary

~~Successor Trustee~~

Successor Trustee

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

(ORS 93.490)

STATE OF OREGON,)

County of Klamath) ss.September 3, 19 80Personally appeared the above named James R. Uerlings

and acknowledged the foregoing instrument to be his

voluntary act and deed.

(OFFICIAL SEAL)

Before me:

Susan Kay Way

Notary Public for Oregon

My commission expires 6/4/98

STATE OF OREGON, County of _____) ss.

_____, 19 _____

Personally appeared _____ and

_____, who, being duly sworn, each for himself and not one for the other, did say that the former is the

_____, president and that the latter is the _____ secretary of _____

_____, 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 its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

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

RE TRUST DEED

Dolores Elaine Paulauskis Von Rasmisel Grantor

TO

Transamerica Title Insurance Company Trustee

AFTER RECORDING RETURN TO

James R. Uerlings
Attorney at Law
110 N. Sixth St. - Suite 209
Klamath Falls OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,)
County of Klamath) ss.

I certify that the within instrument was received for record on the 3rd day of September, 1980, at 1:56 o'clock P.M., and recorded in book/reel/volume No. 130 on page 16676 or as document/fee/file/instrument/microfilm No. 89159 Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne

By Berntha Spetch Deputy

Fee \$3.50