

6252

NOTICE OF DEFAULT AND ELECTION TO SELL

PAUL R. BOURGEOIS AND MARIANNE BOURGEOIS, 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 \$ 9,200.00
in favor of MARTIN DEVELOPMENT CORPORATION, as beneficiary,
that certain trust deed dated August 16, 1978, and recorded September 16, 1978,
in ~~XXXXXX~~ Volume No. M-78 at page 20207 of ~~XXXXXX~~ Klamath County, Oregon,
covering the following described real property situated in said county:

Lot 8 in Block 5 of Pinecrest, Tract 1093, according to the official plat thereof on
file in the office of the County Clerk of Klamath County, Oregon.

Said Klamath County Title Company has resigned as such Trustee and the beneficiary has
appointed Michael C. Miller as Successor Trustee under said Deed of Trust.

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: the principal amounts of the monthly
installments due each and every month for the period commencing November 13, 1978 to
and including June 17, 1980, plus monthly installments of \$114.07 for the period com-
mencing July 13, 1980 to and including November 13, 1981. Together with real property
taxes for the years 1978-79 and 1980-81.

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the fore-
closure 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:

\$10,245.75, plus interest thereon at the rate of 8.5% per annum from October 17, 1981
until paid.

Notice heroby 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 9:00 o'clock, A.M., Standard Time, as established by Section
187.110 of Oregon Revised Statutes on March 29, 1982, at the following place: front steps of the
Klamath County Courthouse, 316 Main Street, 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.

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: November 6, 1981

Successor Trustee

Beneficiary

(State which)

(If executed by a corporation,
affix corporate seal)

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

STATE OF OREGON, ss.

County of Klamath

November 6, 1981

Personally appeared the above named

MICHAEL C. MILLER

and acknowledged the foregoing instrument to be

his voluntary act and deed.

Before me:

(OFFICIAL
SEAL)

Notary Public for Oregon

My commission expires: 1-21-85

STATE OF OREGON, County of Klamath ss.

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 author-
ity 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, OR.

RE TRUST DEED

PAUL R. and MARIANNE BOURGEOIS,
husband and wife

TO

KLAMATH CO. TITLE COMPANY, Trustee

AFTER RECORDING RETURN TO

MICHAEL C. MILLER
210 North Fourth Street
Klamath Falls, OR 97601

SPACE RESERVED

FOR

RECORDER'S USE

STATE OF OREGON, ss.
County of Klamath

I certify that the within instru-
ment was received for record on the
6th day of November 19 81
at 4:46 o'clock P. M., and recorded
in book/reel/volume No. M81 on
page 19456 or as document/fee/file/
instrument/microfilm No. 6252
Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

Evelyn Biehn County Clerk

By Bernthaad DeLoach Deputy

Fee \$8.00