

KTSWICH 10111 OF 11001  
TIDJ RWS 15462  
MILITARY 11 100002

## NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. M8v Page 12117

Reference is made to that certain trust deed made by PETER J. GUZY and VICTORIA S. GUZY

WILLIAM L. SISEMORE....., as grantor, to  
CERTIFIED MORTGAGE COMPANY....., as trustee,  
 in favor of March 10, 19 82, recorded March 11....., as beneficiary,  
 dated Klamath County, Oregon, in book/reel/volume No. M-82, 19 82, in the mortgage records of  
fee/file/instrument/microfilm/reception No...... at page 3077, or as  
 property situated in said county and state, to-wit: (indicate which), covering the following described real

See Exhibit "A" attached hereto and incorporated  
 herein by this reference.

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 of counties in which the above described real property is situate; 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 or other person owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

Monthly installments in the amount of \$99.01 each which were due and payable on June 10, 1982; July 10, 1982; and August 10, 1982; together with late payment charges of \$3.96 for each of the above said payments.

By reason of said default, the beneficiary has declared all obligations secured by said trust deed immediately due and payable, said sums being the following, to-wit: principal balance of \$3,415.05 plus interest thereon at the rate of 19.5% per annum from May 10, 1982, until paid.

NOTE: The above said beneficiary has appointed William M. Ganong, Attorney at Law, 1151 Pine Street, Klamath Falls, Oregon 97601 as Successor Trustee. Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby 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 the compensation of 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 January 31, 19 83, at the following place: front steps of the Courthouse 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:

NATURE OF RIGHT, LIEN OR INTEREST

*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 to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date for said sale.*

*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 persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.*

**DATED:** September 10, 1982

William M. Ganong, Trustee  
Trustee Beneficiary (State which)

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

(ORS 93.490)

STATE OF OREGON.

County of Klamath

September 18 19 82

Personally appeared the above named...

William M. Ganong

d acknowledged the foregoing instrument.

and acknowledged the foregoing instrument to be  
his voluntary act and deed.

Before me:

**Notary Public for Oregon**

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

## NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

STEVENSON-NESS LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From

**Grantor**

**To**

**Trustee**

**AFTER RECORDING RETURN TO**

William M. Ganong  
1151 Pine Street  
Klamath Falls, Or 97601

STATE OF OREGON, County of \_\_\_\_\_ ) ss

**Personally appeared**

who, being duly sworn, did say that he is the

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 acknowledged said instrument to be its voluntary act and deed.

**Before me:**

**Notary Public for Oregon**

**My commission expires:**

(OFFICIAL  
SEAL)

STATE OF OREGON, }  
County of \_\_\_\_\_ } ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Mortgages of said County.

Witness my hand and seal of  
County affixed.

NAME \_\_\_\_\_

**TITLE**

By ..... Deputy

Guzy

## EXHIBIT "A"

## DESCRIPTION

A parcel of land including Lot 4, Block 39, FIRST ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, Lot 6 and a portion of Lot 7, Block 17 of EWAUNA HEIGHTS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, said parcel being more particularly described as follows:

Beginning at the most Northerly corner of said Lot 4, Block 39, FIRST ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, said point being on the Southeasterly line of Grant Street; thence South  $51^{\circ} 15'$  East, along the Northeasterly line of said Lot 4 to the most Easterly corner thereof; thence continuing South  $51^{\circ} 15'$  East to a point on the Southeasterly line of Lot 7, Block 17, EWAUNA HEIGHTS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, said point being North  $39^{\circ} 05'$  East a distance of 34.2 feet from the most Southerly corner of said Lot 7; thence continuing South  $39^{\circ} 05'$  West, along the Southeasterly lines of Lot 7 and Lot 6, Block 17, EWAUNA HEIGHTS, a distance of 86.6 feet, more or less to the most Southerly corner of said Lot 6; thence North  $50^{\circ} 55'$  West along the Southwesterly line of said Lot 6 to the Southeasterly line of Grant Street; thence North  $39^{\circ} 05'$  East, along the Southeasterly line of Grant Street a distance of 37.0 feet to the Northerly line of said Lot 6; thence continuing North  $38^{\circ} 45'$  East, along the Southeasterly line of Grant Street a distance of 49.6 feet to the point of beginning, in the County of Klamath, State of Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record .

This 13 day of Sept A.D. 1982 at 2:35 o'clock P.M. of

duly recorded in Vol. M 82, of Mtge on page 121117

Fee \$12.00

By Joyce M. Owen EVELYN BIEHN County Clerk