

19943

NOTICE OF DEFAULT AND ELECTION TO SELL

1517

MARVIN L. BETTIS and MICHELE L. BETTIS, husband and wife, 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 \$7,500.00 in favor of ERNEST V. ZEPEDA and LENA MAE ZEPEDA, husband and wife, as beneficiary, that certain trust deed dated August 30, 1978, and recorded August 31, 1978, in book M-78 at page 19314, of the mortgage records of Klamath County, Oregon, or as file number --, reel number 54302 (indicate which), covering the following described real property situated in said county:

Lot 6, Block 65, Klamath Falls, Forest Estates Highway 66 Unit, Plat No. 3, in the County of Klamath, State of 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:

Monthly payments in the sum of \$95.10 from November 30, 1979 in the sum of \$4,085.43 together with accrued real property taxes and interest in the sum of \$557.46, or a total of \$4,642.89.

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:

The sum of \$7,105.71 with interest thereon at the rate of .09% per annum from October 16, 1979 to date together with real property taxes and interest in the sum of \$557.46.

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 June 30, 1983, at the following place: Front entrance to the County 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:

NAME AND LAST KNOWN ADDRESS	NATURE OF RIGHT, LIEN OR INTEREST
1. Juan A. Tezanos and Eva M. Tezanos P.O. Box 5156, Klamath Falls, OR 97601	Successors in interest to Grantors.
2. Klamath County Credit 131 S. 6th Street, Klamath Falls, OR 97601	Judgment against Eva and Juan Tezanos in the amount of \$1,820.95, entered February 9, 1981
3. Carter Jones Collection Service 1143 Pine, Klamath Falls, OR 97601	Judgment against Juan A. Tezanos in the amount of \$153.81, entered November 3, 1981; AND Judgment against Juan A. & Eva Tezanos in the amount of \$256.48, plus interest, entered December 24, 1981
4. Klamath Basin Credit Service 131 S. 6th Street, Klamath Falls, OR 97601	Judgment against Juan A. and Eva M. Tezanos, in the amount of \$4,743.31 plus interest, entered January 22, 1982; AND Judgment against Juan A. Tezanos in the amount of \$1,039.33 plus interest, entered January 27, 1982

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: January 27, 19 83.

(If executed by a corporation, affix corporate seal)

Successor Trustee D. L. HOOTS (State which)

NOTICE OF DEFAULT AND
ELECTION TO SELL
(FORM No. 884)
STEVEN NEEL LAW FIRM CO. PORTLAND, ORE.
RE TRUST DEED

Grantor
TO
Trustee

STATE OF OREGON
County of Klamath
I certify that the within instrument was received for record on the 28 day of Jan, 19 83, at 11:07 'clock A.M., and recorded in book MS3 on page 1517 or as file number 19943
Record of Mortgages of said County.
Witness my hand and seal of County affixed.
Evelyn Biehn
County Clerk
By George McQuinn Title Deputy
Fee \$8.00

AFTER RECORDING RETURN TO
D. L. HOOTS
131 S. 6th Street
Klamath Falls, OR 97601

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

STATE OF OREGON,
County of Klamath) ss.
January 27, 19 83
Personally appeared the above named
D. L. HOOTS
and acknowledged the foregoing instrument to be his voluntary act and deed.
Before me:
(OFFICIAL SEAL) Steve Neel
Notary Public for Oregon
My commission expires: 5-17-85

(ORS 93.490)

STATE OF OREGON, County of _____) ss.
Personally appeared _____, 19 _____
and
each for himself and not one for the other, did say that the former is the _____ who, being duly sworn, president and that the latter is the secretary of _____
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)