

28441

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. M83 Page 16034

Reference is made to that certain trust deed made by  
JOHN J. MARONDE and KAY J. MARONDE  
TRANSAMERICA TITLE INSURANCE COMPANY, a California Corporation, as grantor, to  
in favor of WELLS FARGO REALTY SERVICES, INC., A California Corporation, as trustee,  
dated February 18, 1979, recorded May 24, 1979, as beneficiary,  
Klamath County, Oregon, in book/fee/volume No. M-79, 19, in the mortgage records of  
fee/file/instrument/microfilm/reception No. XXXXXX, at page 11873, or as  
property situated in said county and state, to-wit: (indicate which), covering the following described real

Lot 14, Block 46, Tract No. 1184, OREGON SHORES UNIT #2, FIRST ADDITION, 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; 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 of principal and interest, due February, March, April,  
May and June, 1983 in the amount of \$74.80 each; and subsequent installments in  
like amounts; and subsequent installments of assessment dues under the terms and  
provisions of the Note and Deed of Trust

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: \$4,796.86 plus interest thereon from  
January 7, 1983 at the rate of EIGHT and ONE-HALF (8½%) per cent per annum until  
paid, and all sums expended by the Beneficiary pursuant to the terms and provisions  
of the Note and Deed of Trust

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 prop-  
erty 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 compensations of the trustee as pro-  
vided 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, 1984, at the following place: Transamerica Title  
Insurance Co., 600 Main Street, 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

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: 9-16, 1983

TRANSAMERICA TITLE INSURANCE CO.

Trustee

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

(ORS 93.490)

STATE OF OREGON,

County of

Personally appeared the above named

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires:STATE OF OREGON, County of Klamath ) ss.  
9-16, 1983.

Personally appeared Andrew A. Patterson

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

Assistant Secretary

of Transamerica Title Insurance Company

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:

Sandra Handecker  
Notary Public for Oregon

My commission expires: 7-23-85

NOTICE OF DEFAULT AND  
ELECTION TO SELL

(FORM No. 884)

STEVEN NEEB LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From

John J. Maronde

Kay J. Maronde Grantor

To

Transamerica Title Insurance  
Company Trustee

AFTER RECORDING RETURN TO

Transamerica Title Ins. Co.  
600 Main Street  
Klamath Falls, Oregon 97601  
M-26281-9SPACE RESERVED  
FOR  
RECORDER'S USESTATE OF OREGON, ) ss.  
County of Klamath

I certify that the within instrument was received for record on the 16th day of September, 1983 at 11:07 o'clock A.M. and recorded in book/reel/volume No. M 83 on page 16034 or as fee/title/instrument/microfilm/reception No. 28441.

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Blehn, County Clerk

NAME

TITLE

By

Deputy

Fee: \$8.00