

29451

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 1183 Page 17717

Reference is made to that certain trust deed made by RICK F. MARLIN and MAUREEN G. MARLIN, husband and wife
NEAL H. BELL
in favor of PACIFIC WEST MORTGAGE CO., an Oregon corporation
dated July 16, 1982, recorded July 20, 1982, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M 82 at page 9268
fee/file/instrument/microfilm/reception No. 13778 (indicate which), covering the following described real property situated in said county and state, to-wit:

Lots 15 and 16, Block 9, TOWN OF MIDLAND, 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 situated; 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:

\$179.34 due on August 20, 1983
\$179.34 due on September 20, 1983
\$ 10.62 advanced for fire insurance premium

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: \$11,990.03, together with interest thereon from August 15, 1983, at the rate of 12% per annum, until paid; plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed.

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 4:00 o'clock, P.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on March 28, 1984, at the following place: front steps of Klamath 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.

17718

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: October 7, 1983.

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

Trustee

Beneficiary

(State which)

STATE OF OREGON,

(ORS 93.490)

County of Marion

October 7, 1983.

Personally appeared the above named

Neal H. Bell

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 4-25-86

STATE OF OREGON, County of

19

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)

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

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

Re: Trust Deed From

RICK F. MARLIN and

MAUREEN G. MARLIN Grantor

To NEAL H. BELL

Trustee

AFTER RECORDING RETURN TO

Neal H. Bell

BELL & BELL

Post Office Box 497

Stayton, OR 97383

769-2147

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 14th day of October, 1983, at 4:01 o'clock P.M., and recorded in book/reel/volume No. M83 on page 17717 or as fee/file/instrument/microfilm/reception No. 29451, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By [Signature] Deputy

Fee: \$4.00