

31173

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. M83 Page 20608

Reference is made to that certain trust deed made by ..... husband and wife ..... R. A. SANITA and SHARON SANITA, ..... as grantor, to  
TRANSAMERICA TITLE INSURANCE COMPANY ..... as trustee,  
in favor of WELLS FARGO REALTY SERVICES, INC. ...., as beneficiary,  
dated March 21, 1979, recorded June 6, 1979, in the mortgage records of  
Klamath County, Oregon, in book No. M-79 at page 13169, covering the following described real  
property situated in said county and state, to-wit:

Lot 11, Block 48, 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 beginning with March 15,  
1983 and subsequent monthly payments of \$67.79 each due under the terms and  
provisions of the Note and Trust Deed.

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:

\$4,376.60 with interest thereon from February 15, 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 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 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 April 30, 1984, at the following place: Transamerica Title  
Insurance Company, 600 Main Street  
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 shall include the feminine and plural.

*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: December 1, 1964

TRANSFERRER

**DATED:** December 1 1983

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

STATE OF OREGON.

**County of**

....., 19.....  
Personally appeared the above named

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

**(OFFICIAL SEAL)**

**Notary Public for Oregon**  
**My commission expires:**

TRANSAMERICA TITLE INSURANCE COMPANY  
BY: JOHN A. BROWN

BY: [Signature]  
Trustee

STATE OF OREGON, County of Klamath  
December 1 1983

Personally appeared ..... ANDREW A. PATTERSON  
who, being duly sworn, did say that he is the .....  
Assistant Secretary  
of TRANSAMERICA

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:

Before me:  
*Sandra Handso*  
 Notary Public for Oregon  
 My commission expires: 7/23/85

(OFFICIAL  
SEAL)

**NOTICE OF DEFAULT AND  
ELECTION TO SELL**

(FORM No. 884)

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

**Re: Trust Deed From**

R. A. Sanita

Sharon Sanita

**.Grantor**

**To**

...Transamerica Title Ins. Co.

**Trustee**

Transamerica Title Ins. Co.  
600 Main Street  
Klamath Falls, Oregon 97601  
F-26901-6

STATE OF OREGON,  
County of .....Klamath

I certify that the within instrument was received for record on the 2nd day of December, 1983, at 10:55 o'clock A. M., and recorded in book/reel/volume No. M83 on page 20608 or as fee/file/instrument/microfilm/reception No. 31173. Record of Mortgages of said County.

Witness my hand and seal of  
County affixed.

Evelyn Biehn, County Clerk

NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
By Pam Smith Deputy

Fee: \$8.00

NY 100-9001-4