

36507

Vol. M84 Page 7827

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Henry J. Elis'Alda

William L. Sisemore, as grantor, to
 in favor of Certified Mortgage Company, Inc., as trustee,
 dated March 25, 1983, recorded March 26, 1983, in the mortgage records of
Klamath County, Oregon, in book/reel/volume No. M81 at page 5467, or as
 fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real
 property situated in said county and state, to-wit:

See description attached hereto and made a part hereof:

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 payments of \$900.00 since September 25, 1983, to-wit:

\$900.00 on October 25 of 1983, \$900.00 on November 25, 1983, \$900.00 on
 December 25, 1983, \$900.00 on January 25, 1984, \$900.00 on February 25,
 1984, \$900.00 on March 25, 1984, \$900.00 on April 25, 1984

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:

\$27,000.00 with interest at 18% per annum from September 25, 1984
 until paid together with reasonable attorney fees and collection costs
 incurred.

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 compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys. (10:00 a.m. Daylight Savings Time)

Said sale will be held at the hour of 9:15 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on September 19, 1984, at the following place: 514 Walnut Street,
Klamath Falls, Oregon 97601 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.

7823

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
Henry J. Elis'Alda
2391 California Avenue
P. O. Box N, Klamath Falls, Or
Certified Mortgage
803 Main Street Suite 103
Klamath Falls, Oregon 97601

NATURE OF RIGHT, LIEN OR INTEREST
Obligee on promissory note and
Trust Deed instrument
Assumption of obligation
and initial beneficiary

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: May 8, 1984

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

Glenn D. Ramirez
Successor Trustee Beneficiary (State which)

(ORS 93.490)

STATE OF OREGON,
County of Klamath } ss.
May 8, 1984
Personally appeared the above named
Glenn D. Ramirez
and acknowledged the foregoing instrument to be
his voluntary act and deed.

STATE OF OREGON, County of _____) ss.
_____, 19____
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 (OFFICIAL SEAL)
My commission expires: _____

NOTARY PUBLIC
(OFFICIAL SEAL)
Margaret John
Notary Public for Oregon
My commission expires: 9/12/86

NOTICE OF DEFAULT AND
ELECTION TO SELL
(FORM No. 884)
STEVENS-NESS LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From
Henry J. Elis'Alda
Grantor
To
William L. Sisemore
Trustee

SPACE RESERVED
FOR
RECORDER'S USE

AFTER RECORDING RETURN TO
Glenn D. Ramirez
Attorney At Law
514 Walnut St. P.O. Box 368
Klamath Falls, Oregon 97601
Phone 503 884-9275

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

PARCEL 1

7829

A portion of that tract of land recorded in Volume 242 at page 100 of deed records, described therein as being in the NW1/4 NE1/4 of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and being more particularly described as follows:

Beginning at the Northeast corner of the above described tract of land, which point of beginning is the Northeast corner of the NW1/4 NE1/4 of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, and bears West along the Section line a distance of 1,339.75 feet from the Northeast corner of Section 24, Township 39 South, Range 9 East of the Willamette Meridian; thence continuing West along said Section line a distance of 190.96 feet to the true point of beginning; thence South 0° 19' West parallel with the East boundary of above said tract a distance of 712.42 feet to the South boundary thereof; thence North 42° 17' East along said South boundary a distance of 203.82 feet to a point which bears South 0° 19' West, from the true point of beginning; thence North 0° 19' East 561.11 feet more or less to the true point of beginning.

PARCEL 2

A portion of that tract of land recorded in Volume 242 at page 100 of Deed Records, described therein as being in the NW1/4 NE1/4 of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, and being more particularly described as follows:

Beginning at the Northeast corner of the above described tract of land, which point of beginning is the Northeast corner of the NW1/4 NE1/4 of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, and bears West along the Section line a distance of 1667.26 feet from the Northeast corner of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, to the point of beginning; thence continuing West along said Section line a distance of 112.24 feet; thence South 0° 19' West parallel with the East boundary of above said tract of distance of 836.8 feet to the South boundary thereof; thence North 42° 17' East along said South boundary 167.54 feet to a point which bears South 0° 19' West, from the true point of beginning; thence North 0° 19' East 712.42 feet more or less to the true point of beginning.

The above Trust Deed has been assigned in interest by Certified Mortgage Company, An Oregon Corporation through Ralph I. McNutt by assignment recorded in book M81, page 5470, Mortgage records of Klamath County, Oregon and Glenn D. Ramirez has been appointed as Successor Trustee herein.

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 10th day of May A.D., 1984 at 4:13 o'clock P M, and duly recorded in Vol M84, of Mortgages on page 7827.

Fee: \$ 12.00

EVELYN BIEHN, COUNTY CLERK

by: *[Signature]*, Deputy