

OC

A-37630

46685

Vol. M85 Page 3539

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Ronald A. Alsbrook and Kathryn R. Alsbrook

Transamerica Title Insurance Co., as grantor, to

in favor of Equitable Savings and Loan Association, as trustee,

dated Nov. 20, 1980, recorded Nov. 26, 1980, as beneficiary,

Klamath County, Oregon, in book/reel/volume No. M80, 1980, in the mortgage records of

fee/file/instrument/microfilm/reception No. (Indicate which), covering the following described real

property situated in said county and state, to-wit:

Lot 8 in Block 8 Fairview Addition No. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

NOTICE OF DELINQUENCY

(COPY)

NOTICE OF DELINQUENCY

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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 has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action 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 \$261.38 each from 8/1/84 to 4/1/85, then \$265.30 each from 2/1/85 until paid, plus late charges of \$8.97 each from 8/16/84 until paid; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by Housing Division, Department of Commerce, State of Oregon for protection of the above-described real property and its interest in it.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: \$25,475.73, with interest thereon at the rate of 9.75% per annum, from July 1, 1984 until paid, plus late charges of \$8.97 each from 8/16/84 until paid; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by Housing Division, Department of Commerce, State of Oregon for protection of the above-described real property and its interest in it.

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.

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 July 25, 1985, at the following place: the main door of the 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.

3210

28 MAR 11 AM 10 52



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 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said Section 86.753 of Oregon Revised Statutes.

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 person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED:

Mar 8, 1985

Frederick C. Rusina, Trustee

Trustee

Beneficiary

(State which)

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

(ORS 194.570)

STATE OF OREGON,

County of

Multnomah } ss.

STATE OF OREGON, County of _____) ss.

The foregoing instrument was acknowledged before me this

me this 8, 1985, by

Frederick C. Rusina

_____, 19____, by _____, president, and by _____, secretary of _____

a _____ corporation, on behalf of the corporation.

Deborah L. Rudolph
Notary Public for Oregon

Notary Public for Oregon

(SEAL)

My commission expires 1/16/89

My commission expires:

(SEAL)

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM NO. 884)

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

Re: Trust Deed From

Alsbrook

Grantor

To

Rusina

Trustee

F. Rusina AFTER RECORDING RETURN TO

2000 IBM Bldg.
Seattle, WA 98111

NOTICE OF DEFAULT AND ELECTION TO SELL

Fee: \$9.00

STATE OF OREGON,

County of Klamath } ss.

I certify that the within instrument was received for record on the 11th day of March, 1985 at 10:52 o'clock A.M., and recorded in book/reel/volume No. M85 on page 3539 or as fee/file/instrument/microfilm/reception No. 46685. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Ben Smith Deputy

ATTN: JOL eBannan