

OK

ASPEN F-29415

Vol. M85 Page 20388

56380

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by JOHN J. MARONDE and KAY J. MARONDE, as grantor, to husband and wife TRANSAMERICA TITLE INSURANCE COMPANY, A California Corporation, as trustee, in favor of WELLS FARGO REALTY SERVICES, INC., A California Corporation, Trustee as beneficiary, dated February 23, 1979, recorded May 24, 1979, in the mortgage records of Klamath County, Oregon, in book xxx volume No. M-79 at page 11861 ~~xxx~~ ~~ten file instructions for notation reception No. xxxxxxxxxx (indicate check)~~, covering the following described real property situated in said county and state, to-wit:

Lot 5, 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 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 except as permitted by ORS 86.735(4).

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 for the months of July, August, September, October, November and December of 1985, in the amounts of \$88.82 each; and subsequent installments of like amounts; Subsequent amounts for assessments due under the terms and provisions of the Note and Deed of Trust.

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: \$4,888.24 plus interest and late charges, thereon from June 7, 1984, at the rate of EIGHT AND ONE HALF (8½%) PERCENT 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 ORS 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., in accord with the standard of time established by ORS 187.110 on April 22, 1986, at the following place: ASPEN TITLE & ESCROW, INC., 600 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.

DEC 13 AM 11 43

20388

20389

NONE

NATURE OF RIGHT, LIEN OR INTEREST

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: December 13, 1985

Successor

BY: ASPEN TITLE & TRUST CO.

If the signer of the above is a corporation use the form of acknowledgment on page 2.

STATE OF CALIFORNIA

DATED: December 13

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

STATE OF OREGON.

County of _____ } ss.
The foregoing instrument was acknowledged before
me this _____, 19____, by _____

(SEAL)

Notary Public for Oregon

My commission expires:

**NOTICE OF DEFAULT AND
ELECTION TO SELL**
(FORM No. 884)

RE: *Trust Deed From* *John J. Maronde*
Kay J. Maronde *Granto*
To
Transamerica Title
Insurance Company, Trustee
AFTER RECORDING
ASPER

company Trustee
AFTER RECORDING RETURN TO
Aspen Title & Escrow, Inc.
21500 Main Street
Klamath Falls, Oregon 97603

Fee: \$9.00

STATE OF OREGON,
County of Klamath
I certify that the within instrument was received for record on the 16th day of December, 1985 at 11:43 o'clock A. M., and recorded in book/reel/volume No. M85 page 20388 or as fee/file/instrument/microfilm/reception No. 56380
Record of Mortgages of said County.
Witness my hand and seal of County affixed.
Evelyn Biehn, County Clerk
NAME _____
By _____

Witness my hand and seal of
County affixed.
Evelyn Biehn, County Clerk
NAME
By [Signature] TITLE
Deputy