

76796

Vol. M87 Page 12248

NOTICE OF DEFAULT  
AND ELECTION TO SELL

Pursuant to ORS 86.705-795, the undersigned Trustee and the Beneficiary have elected to foreclose the following described Trust Deed in the manner provided by said statute.

1. The names of the Grantor, Trustee and Beneficiary named in the subject Trust Deed are:

- a. Grantor: Gary L. Dalton and Kathy Dalton
- b. Trustee: Klamath County Title Company, an Oregon Corporation
- c. Beneficiary: Martin Development Corporation, a California Corporation

2. The legal description of the property covered by the subject Trust Deed is: Lot 8 in Block 4 of Tract No. 1093, Pinecrest, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

3. The Book, page number and the date the subject Trust Deed was recorded in the Mortgage Records of Klamath County, Oregon are:  
Book: M-77; Page: 18380; Dated: September 28, 1977.

4. The default for which the foreclosure is made is the Grantor's failure to pay monthly installment payments of \$271.49 for months of September, 1985 through May, 1987.

5. The sum owing on the obligation secured by the subject Trust Deed is the principal amount of \$8,000.00 plus interest thereon at the rate of 9.75% per annum from August 13, 1985 until paid.

6. The Beneficiary and the Trustee have elected to foreclose the above referenced Trust Deed pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.

7. The Trustee will conduct a sale of the above described property at 10:00 a.m. on the 16th day of November, 1987 at the front steps of the Klamath County Courthouse, 300 block of Main Street, Klamath Falls, Oregon.

8. Pursuant to ORS 86.753; the Grantor, the Grantor's successor in interest to all or any part of the above described property, any beneficiary under a subordinate Trust Deed, or any

NOTICE OF DEFAULT AND ELECTION TO SELL Page 1

12249

person having a subordinate lien or encumbrance of record on the property; may cure the default or defaults at any time prior to five days before the above said date of sale by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred. In addition, the person affecting the cure shall pay all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and Attorney's fees specified in the said statute.

In construing this instrument, 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.

STATE OF OREGON

County of Klamath

) SS

William M. Ganong  
William M. Ganong

Personally appeared this 10th day of July, 1987 the above named William M. Ganong, Successor Trustee, and acknowledge the foregoing instrument to be his voluntary act and deed.

(SEAL)

Peggy R. Reynolds  
PEGGY R. REYNOLDS  
NOTARY PUBLIC - OREGON  
My Commission Expires 12-5-88

After Recording Return to:  
William M. Ganong  
1151 Pine Street  
Klamath Falls, OR 97601

Peggy R. Reynolds  
Notary Public For Oregon  
My commission expires: 12-5-88

# NOTICE OF DEFAULT AND ELECTION TO SELL Page 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of William M. Ganong, Attorney the 13th day  
of July A.D. 19 87 at 9:51 o'clock A.M., and duly recorded in Vol. M87  
of Mortgages on Page 12248  
By Evelyn Biehn, County Clerk

FEE \$9.00