

NS

NOTICE OF DEFAULT  
AND ELECTION TO SELL

2000 JAN 25 PM 12:11

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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  
\_\_\_\_\_ and/or as fee/file/instru-  
ment/microfilm/reception No. \_\_\_\_\_,  
Records of said County.

Witness my hand and seal of County  
affixed.

NAME

TITLE

By \_\_\_\_\_, Deputy.

SPACE RESERVED  
FOR  
RECORDER'S USE

RE: Trust Deed from

MART

To

Grantor

AMVESCO

Trustee

After recording, return to (Name, Address, Zip):

Terence J. Hammons115 W. 8th Ave., Suite 280Eugene, OR 97401

Reference is made to that certain trust deed made by Brad Mart and Diane Mart, Husband and  
Wife

Amvesco, Inc., dba Western Pioneer Title Co. of Lane County, as grantor, to  
in favor of Scott Casanova, Jaqueline Casanova, Richard Hall and Nancy Hall, as trustee,  
dated August 5, 1997, recorded August 15, 1997, in the Records of  
Klamath County, Oregon, in book/reel/volume No. M97 at page 26807, and/or as  
fee/file/instrument/microfilm/reception No. 43626 (indicate which), covering the following described real property  
situated in the above-mentioned county and state, to-wit:

LOT 19 IN BLOCK 12 TRACT 1042, TWO RIVERS NORTH ACCORDING TO THE  
OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK  
OF KLAMATH COUNTY OREGON

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appoint-  
ments of a successor trustee have been made, except as recorded in the Records of the county or counties in which the above-  
described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining  
secured by the 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 grantor or other person owing an obligation, performance of which is secured by the trust deed, or by  
the 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:

1. Balloon payment in amount of \$27,317.39 due August 1, 1999
2. Real property taxes due for 97-98, 98-99 and 99-2000.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately  
due and payable, those sums being the following, to-wit:

\$26,902.04 together with interest thereon at 9% per annum from  
November 26, 1999 until paid

(OVER)

26,902.04

2571

Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the 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 described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the 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.

The 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 June 15, ~~xx~~2000, at the following place: Front door, Klamath County Courthouse,  
317 S. 7th Street in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Other than as shown of record, neither the beneficiary nor the 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 grantor or of any lessee or other person in possession of or occupying the property, except:

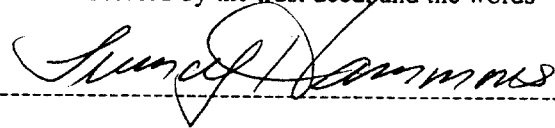
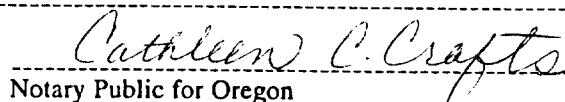
Name and Last Known Address

Nature of Right, Lien or Interest

None not of record

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for 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 the 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 fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated January 24, ~~xx~~2000

Successor ☒ Trustee ☐ Beneficiary (indicate which)STATE OF OREGON, County of Lane ss.This instrument was acknowledged before me on January 24, ~~xx~~2000  
by Terence J. HammonsThis instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_,  
by \_\_\_\_\_  
as \_\_\_\_\_  
of \_\_\_\_\_


Notary Public for Oregon



State of Oregon, County of Klamath  
Recorded 1/25/00, at 12:11 P.m.  
In Vol. M00 Page 2570  
Linda Smith,  
County Clerk Fee \$ 26.00