

OC

46774

ASPEN F-28481

Vol. M-85 Page

3760

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by JACK R. SCHULZE

Frontier Title Company, **, as grantor, to
in favor of GEORGE A. BELL and MARJORIE P. BELL, husband and wife ***, as trustee,
dated November 21, 19 80, recorded December 18, 19 80, as beneficiary,
Klamath County, Oregon, in book/reel/volume No. M-80, in the mortgage records of
the County of Klamath, State of Oregon, at page 24557,
property situated in said county and state, to-wit:

Lots 1, 2 and 3, Block 9, RAILROAD ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

**** Aspen Title & Escrow, Inc., was appointed Successor Trustee on February 7, 1985, in Book M-85 at page 2061.**

*****Beneficial interest was assigned to William P. Brandsness on February 7, 1985, in M-85 at page 2062.**

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 installments of Principal and interest due the months of April, 1984 in the amount of \$206.76, and for the months of May, June, July, August, September, October, November, December, of 1984 and January and February of 1985 in the amount of \$712.22 each; and subsequent installments of like amounts; Subsequent amounts for assessments due under the terms and provisions of the Note and Trust Deed.

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: \$48,316.96 plus interest and late charges, thereon from June 15, 1984 at the rate of SEVEN AND ONE HALF (7 1/2) PERCENT per annum until paid and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

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 22, 19 85, 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 fixed by the trustee for said sale.

05 MAR 12 PM 3 47

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

DATE

2. NAME AND LAST KNOWN ADDRESS:

NATURE OF RIGHT, LIEN OR INTEREST

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: 12 March 1965

ASPEN TITLE & ESCROW

Successor Trustee

STATE OF OREGON

100-194570

STATE OF OREGON, County of Klamath

County of _____

The foregoing instrument was acknowledged before me this _____, 19____ by _____

The foregoing instrument was acknowledged before me this
March 12, 1985, by ANDREW A. PATTERSON

Assistant

Secretary of

Secretary of
ASPEN TITLE & ESCROW, INC.

Oregon

corporation, on behalf of the corporation

Notary Public for Oregon

7/23/85

Notary Public for Oregon

My commission expires:

**NOTICE OF DEFAULT AND
ELECTION TO SET**

STATION 10
(FORM No. 824)

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

Re: Trust Deed From

Jack R. Schulze

Compte

●

Frontier Title Company

Trustee

AFTER RECORDING RETURN TO
Aspen Title & Escrow, Inc
600 Main Street
Klamath Falls, Oregon

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

EXHIBIT "A"

EXHIBIT "A" TO NOTICE OF DEFAULT

<u>NAME AND LAST KNOWN ADDRESS</u>	<u>NATURE OF RIGHT, LIEN OR INTEREST</u>
1. Overhead Door Co. P. O. Box 1076, Klamath Falls, Oregon 97601	Judgement
2. Mark Morris Tire, Inc., c/o Myrick, Coulter, Seagraves, Myrick & Adams, P. O. Box 1330, Grants Pass, Oregon 97326-0322	Suit
3. Burroughs Corporation, c/o Steven Couch 220 Main Street, Suite 1-D, Klamath Falls, OR	Judgement
4. South Valley State Bank 5215 South Sixth Street, Klamath Falls, OR	Second Trust Deed
5. Mark Danforth, c/o Louis Danforth 301 Front Street, Klamath Falls, OR	Lease Interest
6. Louis Danforth 301 Front Street, Klamath Falls, OR	Lease Interest
7. Long Mile Rubber Company, c/o Steven Couch 220 Main Street, Suite 1-D, Klamath Falls, OR	Judgement
8. Internal Revenue Service, Chief, Special Procedures Section, District Director of Internal Revenue, P. O. Box 3550, Portland, Oregon 97208	Judgement
9. Creditors Protection Association 320 S.W. 6th Avenue, Portland, Oregon 97204	Judgement
10. Klamath Publishing Company, doing business as Herald and News, P. O. Box 788, Klamath Falls, OR	Judgement
11. Lutz Tire Company, Inc., c/o Blackhurse, Hornecker, Hassen & Brian, Suite 1 - 129, N. Oakdale, Medford, Oregon 97501	Judgement
12. Jerry Angle 640 Prescott, Klamath Falls, Oregon 97601	Judgement
13. South Valley State Bank 5215 South Sixth Street, Klamath Falls, OR	Judgement
14. TDI Industries, c/o Steven Couch 220 Main Street, Suite 1-D, Klamath Falls, OR	Judgement
15. Public Utility Commission of Oregon, Labor & Industries Building, Salem, Oregon 97310	Judgement

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record
 this 12th day of March A.D. 1985 at 3:47 o'clock P.M., and
 duly recorded in Vol. M85, of Mortgages on Page 3709

Fee: 13.00

By EVELYN BIEHN, County Clerk
[Signature]