

56183 01680 01901

ASPEN F-29384

Vol. 1485 Page 20031

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by G. DAY, husband and wife ROBERT E. DAY and LORRAINE, as grantor, to ASPEN TITLE & ESCROW, INC., An Oregon Corporation, as trustee, in favor of HENRY C. STORK, as beneficiary, dated August 27, 1984, recorded August 31, 1984, in the mortgage records of Klamath County, Oregon, in book/entry No. M-84 at page 15171, covering the following described real property situated in said county and state, to-wit:

Beginning at a point in the Northerly boundary of Tract No. 33 of ALTAMONT SMALL FARMS, said point being 321.0 feet distant from the Northwest corner of said tract, and running thence South 88° 46' East along the said Northerly boundary of said Tract 107.0 feet; thence South 0° 11' West 200 feet, more or less, to a point in the Southerly boundary of said tract; thence North 88° 46' West along the said Southerly boundary of said tract 107.0 feet; thence North 0° 11' East 200.0 feet, more or less, to the point of beginning and being a portion of said Tract No. 33, and being situate 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.

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: One Installment of \$3,545.02 plus interest from September 1, 1984, due and payable on or before the 15th day of October, 1985, and 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:
\$3,545.02 plus interest thereon from September 1, 1984, at the rate of TWELVE (12%) 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 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 April 26, 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 fixed by the trustee for said sale.

85 DEC 9 PM 3 58



NAME AND LAST KNOWN ADDRESS

NATURE OF RIGHT, LIEN OR INTEREST

Occupant, If any

Department of Human Resources
State of Oregon
P. O. Box 14506
Salem, Oregon 97310

Judgment

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.

~~ASPEN TITLE & ESCROW~~

Trustee

XXXXXXXXXXXXXXXXXXXX

(ORS 194.570)

} ss.

County of

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

570) **STATE OF OREGON, County of Klamath**) ss

The foregoing instrument was acknowledged before me this
December 9, 1985, by Andrew A. Patterson.

Assistant *secretary of*
ASPEN TITLE & ESCROW, INC.

an Oregon corporation, on behalf of the corporation

Notary Public for Oregon

My commission expires: 7/23/89

(SEAL)

Notary Public for Oregon

My commission expires:

(FORM No. 884)

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

Re: Trust Deed From

Robert E. Day

Lorraine G. Day Grantor

To
Aspen Title & Escrow, Inc

AFTER RECORDING RETURN TO

Aspen Title & Escrow, Inc.

600 Main Street

Klamath Falls, Oregon 97601

**SPACE RESERVED
FOR
RECORDER'S USE**

STATE OF OREGON,
County of Klamath

I certify that the within instrument was received for record on the 27th day of December, 1985, at 3:58 o'clock P. M., and recorded in book/reel/volume No. M85 on page 20031 or as fee/file/instrument/microfilm/reception No. 56183.

Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

Evelyn Biehn, County Clerk

NAME _____ TITLE _____
By Peggy Smith Deputy

Fee: \$9.00