

76672

TRUSTEE'S NOTICE OF DEFAULT, ELECTION  
TO SELL AND NOTICE OF SALEVol. M87 Page 12017

Reference is made to that trust deed wherein Arthur J. Wheeler is the grantor, Aspen Title & Escrow, Inc. is the trustee and JAMES S. McFADDEN and BETTY E. McFADDEN, husband and wife, are the beneficiaries, recorded July 22, 1986, in Volume M-86, Page 12779, mortgage records of Klamath County, Oregon, covering the following-described real property, situated in Klamath County, Oregon, to-wit:

A portion of Lot 9, Block 11, KLAMATH FALLS FOREST ESTATES, SYCAN UNIT, more particularly described as follows: All that portion of said Lot 9 lying southeasterly of the following-described line: Beginning at a point on the southwesterly line of said Lot 9 which bears S. 54°02'28" E. 1200 feet from the most westerly corner thereof; thence N. 35°57'32" E. to a point on the northeasterly line of said Lot, being the same property as described in that deed to Maarten DeJongh, recorded September 20, 1971, in Book M-71, Page 9973, microfilm records of Klamath County, Oregon. EXCEPTING THEREFROM any portion lying within the limits of the County Road described in Book 350, Page 251, Deed Records of Klamath County, Oregon.

No action is pending to recover any part of the debt secured by the trust deed.

The obligations secured by the trust deed are in default because grantor has failed to pay the installments of principal and interest in the amount of \$250.00 each

Due February 14, 1987, March 14, 1987, April 14, 1987, May 14, 1987, and June 14, 1987, and grantor has failed to pay the 1986-87 real property taxes in the amount of \$137.12, with interest accrued thereon.

The sum owing on the obligation secured by the trust deed is \$16,383.57, with interest thereon at the rate of 10% per annum from January 23, 1987, until paid; plus trustee's fees, attorney fees, foreclosure costs and any sums advanced by the beneficiaries pursuant to the terms of said trust deed.

The beneficiaries have and do elect to sell the property to satisfy the obligations pursuant to ORS 86.705 to ORS 86.795.

The property will be sold, as provided by law, on December 1, 1987, at the hour of 10:00 a.m., based on standard time established by ORS 187.110, at the law offices of H. F. Smith, 540 Main Street, Room 303, Klamath Falls, Oregon 97601.

Interested persons are notified of the right under ORS 86.753 to have these proceedings dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee and attorney fees, and by curing any other default complained of in this notice, at any time prior to five days before the date set for sale.

Dated: July 9, 1987

STATE OF OREGON  
County of KLAMATH

ss. July 9, 1987

H.F. Smith  
Successor Trustee

The foregoing instrument was acknowledged before me by H. F. SMITH, Successor trustee.

Delores Baldwin  
NOTARY PUBLIC FOR OREGON  
My commission expires 5/13/89

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of H. F. Smith, Attorney at Law the 9th day of July A.D. 19 87 at 9:00 o'clock A M., and duly recorded in Vol. M87 of Mortgages on Page 12017.

FEE \$5.00

Evelyn Biehn, County Clerk  
By H.F. Smith

Ret: H.F. Smith, Attorney at Law 540 Main St., Klamath Falls, Oregon 97601