

ATE 31846

85348

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. M88 Page 3806

Reference is made to that certain trust deed made by DALE WOODCOCK and RONDA BRITT, husband and wife, as grantors to ASPEN TITLE & ESCROW, INC., an Oregon corporation, as trustee (Successor Trustee JAMES D. FOURNIER appointed by document recorded at Volume M88, Page 3034, Klamath County, Oregon Records), dated April 9, 1987 and recorded April 21, 1987 in the mortgage records of Klamath County, Oregon, in Book M-87, Page 6719, covering the following described real property situated in said county and state, to wit:

The Westerly 153.45 feet, more or less, of the S 1/2 of Lot 2, Block 6, ALTAMONT ACRES, in the County of Klamath, State of Oregon. The Easterly boundary of above described property being the Westerly boundary of property described in Deed Volume 131 at Page 595.

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 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 except as permitted by ORS 86.735(4).

There is a default by the grantor or other person owing 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:

Payments in the amount of \$198.00 per month for the months of August, September, October, November and December, 1987 and January and February, 1988 for a total of \$1386.00, plus real property taxes for the years 1983-84 in the amount of \$152.35 plus accrued interest; 1984-85 in the amount of \$198.53 plus accrued interest; 1985-86 in the amount of \$190.76 plus accrued interest; 1986-87 in the amount of \$198.04, plus accrued interest and 1987-88, 2/3 of \$299.27, plus accrued interest.

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:

\$14,469.90, plus interest at the rate of 10% per annum from July 17, 1987 until paid, plus real property taxes for the years 1983-84 in the amount of \$152.35 plus accrued interest; 1984-85 in the amount of \$198.53 plus accrued interest; 1985-86 in the amount of \$190.76 plus accrued interest; 1986-87 in the amount of \$198.04, plus accrued interest and 1987-88, 2/3 of \$299.27, plus accrued interest.

Notice is hereby 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 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 said described property which the grantor hand, 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 attorney. Trustee's Notice of Sale is attached hereto as Exhibit "B" and incorporated herein.



## EXHIBIT "B"

## TRUSTEE'S NOTICE OF SALE

3808

Reference is made to that certain trust deed made by DALE WOODCOCK and RONDA BRITT, husband and wife, as Grantors, to ASPEN TITLE & ESCROW, INC., an Oregon corporation, as Trustee,\* in favor of HAROLD RELF and GRACE RELF, husband and wife, as beneficiaries, dated April 9, 1987, recorded April 21, 1987, in the mortgage records of Klamath County, Oregon in Book M-87, Page 6719, covering the following described real property:

The Westerly 153.45 feet, more or less, of the S 1/2 of Lot 2, Block 6, ALTAMONT ACRES, in the County of Klamath, State of Oregon. The Easterly boundary of above described property being the Westerly boundary of property described in Deed Volume 131 at Page 595.

\* Successor Trustee JAMES D. FOURNIER appointed by document recorded at Volume M88, Page 3034, Klamath County, Oregon records.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligation secured by said trust deed and a notice of default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

Payments in the amount of \$198.00 per month for the months of August, September, October, November and December, 1987 and January and February, 1988 for a total of \$1386.00, plus real property taxes for the years 1983-84 in the amount of \$152.35 plus accrued interest; 1984-85 in the amount of \$198.53 plus accrued interest; 1985-86 in the amount of \$190.76 plus accrued interest; 1986-87 in the amount of \$198.04, plus accrued interest and 1987-88, 2/3 of \$299.27, plus accrued interest.

By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and payable, as follows:

\$14,469.90, plus accrued interest at the rate of 10% per annum from July 17, 1987 until paid, plus real property taxes for the years 1983-84 in the amount of \$152.35 plus accrued interest; 1984-85 in the amount of \$198.53 plus accrued interest; 1985-86 in the amount of \$190.76 plus accrued interest; 1986-87 in the amount of \$198.04, plus accrued interest and 1987-88, 2/3 of \$299.27, plus accrued interest.

NOTICE IS GIVEN that the trustee will on August 19, 1988 at 9:05 o'clock a.m., Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at the front steps of the Klamath County, Oregon Courthouse, Klamath Falls, Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of execution of the trust deed, together with any interest which the grantor or successors in interest acquired after the execution of sale, including trustee fee. Notice is further given that any person named in Section 86,760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred) together with costs, trustee's and attorney's fees as provided by law, at any time prior to five days before the date set for sale.

DATED at Mt. Angel, Oregon, March 15<sup>th</sup>, 1988.

James D. Fournier  
JAMES D. FOURNIER SUCCESSOR TRUSTEE

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow, Inc. the 17th day of March A.D. 19 88 at 3:58 o'clock P. M., and duly recorded in Vol. M88 of Mortgages on Page 3806

FEE \$15.00

Evelyn Biehn, County Clerk  
By Pam Smith