

Klamath Falls, Oregon 97601

88302

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Earle G. Milbradt and Ruth A. Milbradt, as grantor, to husband and wife, as trustee, Mountain Title Company (Neal G. Buchanan as successor), as beneficiary, in favor of Steve W. Wilson and Doris C. Wilson, husband and wife, dated September 27th, 1978, recorded October 11th, 1978, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M 78 at page 22707, or as fee/file/instrument/microfilm/reception No. 56486 (indicate which), covering the following described real property situated in said county and state, to-wit:

E6E14, 15, 16 in PONDEROSA PARK, 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 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 except as permitted by ORS 86.735(4).

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: Payments in the amount of \$75.00 due on November 1, 1984 with like payments due the first day of each month thereafter, together with late charges of \$4.50 per month for each of said months.

Real property taxes due for tax years 1983 and thereafter.

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: \$2,302.76 plus interest at the rate of 8% per annum from October 1, 1984 plus late charges of \$4.50 per month for each such payments due in full from March 15, 1988.

Unpaid real property taxes totalling \$1,016.52 plus interest thereon from March 15, 1988.

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 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 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 1:00 o'clock, P. M., in accordance with the standard of time established by ORS 187.110 on November 2nd, 1988, at the following place: 601 Main Street, Suite 215, Klamath Falls, Oregon, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.

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

Earle G. and Ruth A. Milbradt
36701 Southeast Tracy Road
Estacada, Oregon 97023

NATURE OF RIGHT, LIEN OR INTEREST

Fee owner, Trust Deed Grantor

Alexander T. Bishop
Interim Trustee in Bankruptcy
330 Pacific Building
520 S.W. Yamhill Street
Portland, Oregon 97204

Trustee in bankruptcy for
Trust Deed Grantor

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 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 ORS 86.753.

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: June 15, 1988

NEAL G. BUCHANAN

Trustee

Beneficiary

(State which)

STATE OF OREGON,

County of Klamath

ss.

The foregoing instrument was acknowledged before me this 15th day of June, 1988, by Neal G. Buchanan, successor trustee.

James H. Hall
Notary Public for Oregon

(SEAL)

My commission expires: 6/16/92

STATE OF OREGON, County of Klamath

The foregoing instrument was acknowledged before me this

19, by

president, and by

secretary of

corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires:

(SEAL)

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

Re: Trust Deed From

EARLE G. MILBRADT and RUTH A. MILBRADT, husband and wife, Grantor

To MOUNTAIN TITLE COMPANY

Trustee

AFTER RECORDING RETURN TO

NEAL G. BUCHANAN
601 Main Street, Suite 215
Klamath Falls, Oregon 97601

Fee: \$13.00

INDEXED

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 16 day of June, 1988, at 2:37 o'clock P.M., and recorded in book/reel/volume No. M88 on page 9345 or as fee/file/instrument/microfilm/reception No. 88302.

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn County Clerk

By Berntha P. Ketch Deputy

Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH ss.

I, Sarah L. Parsons, Office Manager

being first duly sworn, depose and say that

I am the principal clerk of the publisher of

the Herald and News

a newspaper of general circulation, as
defined by Chapter 193 ORS, printed and
published at Klamath Falls in the aforesaid

county and state; that the

#049 Trustees sale-Milbradt

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for four

~~successive~~ consecutive ~~week~~ days

(4 insertion s) in the following issue s: —

Aug. 16, 1988

Aug. 23, 1988

Aug. 30, 1988

Sept. 6, 1988

Total Cost: \$258.40

Sarah L. Parsons

Subscribed and sworn to before me this 6
day of Sept. 1988

Notary Public of Oregon

My commission expires Jan 14 1990

TRUSTEE'S NOTICE OF SALE
Reference is made to that certain trust deed made by EARLE G. MILBRADT and RUTH A. MILBRADT, husband and wife, as grantor, to MOUNTAIN TITLE COMPANY (NEAL G. BUCHANAN AS SUCCESSOR), as trustee, in favor of STEVE W. WILSON and DORIS C. WILSON, husband and wife, as beneficiary, dated September 27th, 1978, recorded October 11th, 1978, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M78 at page 2707, as fee/file/instrument/microfilm/reception No. 56486, covering the following described real property situated in said county and state, to-wit:

Lot 14, 15, 16 in PONDEROSA PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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

Payments in the amount of \$75.00 due on November 1, 1984 with like payments due the first day of each month thereafter, together with late charges of \$4.50 per month for each of said months.

Real property taxes due for tax years 1983 and thereafter.

The said Notice of Default and Election to Sell (a copy of which is attached hereto) was recorded at Volume M 88, Page 9345, Records of Klamath County, Oregon.

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: \$2,302.76 plus interest at the rate of 8% per annum from October 1, 1984 plus late charges of \$4.50 per month for each such payment.

Unpaid real property taxes totalling \$1,016.52 plus interest thereon from March 15, 1988.

WHEREFORE, notice hereby is given that the undersigned trustee will on November 2nd, 1988, at the hour of 1:00 o'clock P.M., in accord with the standard of time established by ORS 187.110, at 601 Main Street, Suite 215, Klamath Falls, Oregon in the City of Klamath Falls, County of Klamath, State of 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 the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 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 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 rendering 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 ORS 86.753.

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; the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED June 28, 1988

Neal Buchanan

#049 Aug. 16, 23, 30, Sept. 6, 1988

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Neal G. Buchanan

on this 11th day of Oct. A.D., 19 88
at 11:26 o'clock A.M. and duly recorded
in Vol. M88 of Mortgages Page 17030

Evelyn Biehn County Clerk

By Pauline Mullenbaker Deputy.

Fee, \$33.00