

MTL-19419
 NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by DALE D. JOHNSON and DIANA M. JOHNSON, husband and wife, Grantor, to MOUNTAIN TITLE CO., INC., Trustee, in favor of HARRY C. HOLT and JEANNE P. HOLT, husband and wife, Beneficiary, dated May 7, 1985, recorded May 31, 1985, in the official records of Klamath County, Oregon, in Book Vol. M85 at Page 8094, covering the following described real property:

Lot 6, Block 72, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 3, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The undersigned 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 official 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 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, Grantor's successor, or other person owing an obligation, the performance of which is secured by the trust deed, with respect to provisions therein which authorize sale in the event of default of such provisions. The default for which foreclosure is made is Grantor's failure to pay when due the following sums:

- (1) Monthly installments of \$184.00 each, commencing with the payment due February 1, 1987, and continuing each month until this trust deed is reinstated or goes to trustee's sale; (2) Interest accrued to 6/19/87 in the amount of \$237.04; (3) Real property taxes due for the tax years 1985-86 forward; (4) All sums expended by Beneficiary to protect the property or its interests therein during the pendency of this proceeding; and (5) All fees, costs and expenses associated with this foreclosure.

By reason of the default, the Beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following:

- (1) \$13,031.46 with interest thereon at the rate of 10% per annum from 6/19/87, until paid; (2) Real property taxes due for the tax years 1985-86 forward; (3) All sums expended by Beneficiary to protect the property or its interests therein during the pendency of this proceeding; and (4) All fees, costs and expenses associated with this foreclosure.

NOTICE is given that the Beneficiary and Trustee, by reason of the default, have elected and do hereby elect to foreclose the 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 above 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 the trust deed and the expenses of the sale, including the compensation of the Trustee as provided by law, and the reasonable fees of Trustee's attorney.

The sale will be held at the hour of 9 o'clock A.M., on July 17, 1989, at the following place: front door - Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon.

Page 1 - NOTICE OF DEFAULT AND ELECTION TO SELL
 BEN LOMBARD, JR.

ATTORNEY AT LAW
 P.O. BOX 1090
 ASHLAND, OR 97520
 (503) 482-8491

MAR 13 PM 3 21

Other than as shown of record, neither the said Beneficiary nor the 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: NONE KNOWN.

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 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 ORS 86.753.

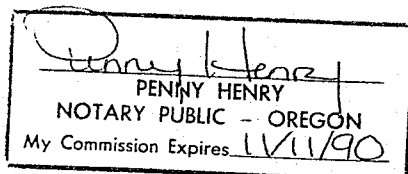
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the Grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: March 9, 1989.

Ben Lombard Jr
BEN LOMBARD, JR.
Successor Trustee

STATE OF OREGON)
) ss.
County of Jackson)

The foregoing instrument was acknowledged before me this 9th day of March, 1989, by Ben Lombard, Jr.



Notary Public for Oregon
My Commission Expires: 11/11/90

After Recording Return To:
Ben Lombard, Jr.
P.O. Box 1090
Ashland, OR 97520

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

Mountain Title Co.

on this 13th day of March A.D., 19 89
at 3:21 o'clock P.M. and duly recorded
in Vol. M89 of Mortgages Page 4227
Evelyn Biehn County Clerk
By Dorlene Muckendase

Fee, \$13.00

Deputy.

Page 2 - NOTICE OF DEFAULT AND ELECTION TO SELL
BEN LOMBARD, JR.

ATTORNEY AT LAW
P.O. BOX 1090
ASHLAND, OR 97520
(503) 482-8491