

OK

99204

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by JOHN DALTON, SR. and PEGGY DALTON,
 HUSBAND AND WIFE SUCCESSOR, & trustee,
MICHAEL L. BRANT, as beneficiary,
 in favor of DONALD RAY CHUM and JODY JEANNE CHUM, 19 87, in the mortgage records of
 dated APRIL, 19 87, recorded APRIL, 19 87, at page 5598, or as
Klamath County, Oregon, in book/reel/volume No. M87
 fee/file/instrument/microfilm/reception No. 73077 (indicate which), covering the following described real
 property situated in said county and state, to-wit:

LOT 5, BLOCK 7, TRACT NO. 1003, THIRD ADDITION TO MOYINA, 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 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:

LAST PAYMENT PAID 12/2/88

LAST PAYMENT DUE 3/88

INTEREST DUE 7/24/88 thru 3/17/88 \$1,546.61

PRINCIPAL DUE \$26,465.69 WHICH ACCRUES INTEREST AT \$6.53 per diem

PAYOFF TO 3/17/89 = \$28,012.30

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:

AS OF MARCH 17, 1989

Principal and interest in the sum of \$28,012.30, together with interest
 which accrues at the rate of \$6.53 per diem

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 rea-
 sonable fees of trustee's attorneys.

Said sale will be held at the hour of 10:00 o'clock, a.M., in accord with the standard of time established
 by ORS 187.110 on August 8, 1989, at the following place: KLAMATH COUNTY COURTHOUSE
KLAMATH FALLS, in the City of KLAMATH FALLS, County of
KLAMATH, State of Oregon, which is the hour, date and place last set for said sale.

89 APR 17 AM 10 06

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

NATURE OF RIGHT, LIEN OR INTEREST

| | | |
|-------------------|--|---------|
| JOHN DALTON, SR., | 1428 TAMERA DRIVE, KLAMATH FALLS, OREGON 97603 | GRANTOR |
| PEGGY DALTON, | 1428 TAMERA DRIVE, KLAMATH FALLS, OREGON 97603 | 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 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, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Donald Ray Chum, by Jema B Chum, Attorney in fact.

DATED: March 17, 1989

DONALD RAY CHUM and JODY JEANNE CHUM

~~XXXXXX~~

Beneficiary

(State which)

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,

(ORS 194.570)

County of KLAMATH

} ss.

STATE OF OREGON, County of _____ ss.

The foregoing instrument was acknowledged before me this

_____, 19____, by _____,

_____, president, and by _____,

_____, secretary of _____,

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires: _____

(SEAL)

The foregoing instrument was acknowledged before me this _____, 198, by

DONALD RAY CHUM and

JODY JEANNE CHUM

Notary Public for Oregon

My commission expires: 8/1/89

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

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

Re: Trust Deed From

JOHN DALTON, SR. and PEGGY

DALTON, HUSBAND & WIFE

Grantor

To

MICHAEL L. BRANT

Successor

Trustee

AFTER RECORDING RETURN TO

MICHAEL L. BRANT

ATTORNEY AT LAW

325 MAIN STREET

KLAMATH FALLS, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

Fee \$13.00

STATE OF OREGON, _____ } ss.
County of Klamath

I certify that the within instrument was received for record on the 19th day of April, 1989, at 10:06 o'clock AM, and recorded in book/reel/volume No. M89 on page 6589 or as fee/file/instrument/microfilm/reception No. 99204, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By Donald Ray Chum, Deputy