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 VOLUME 89 OF 1987
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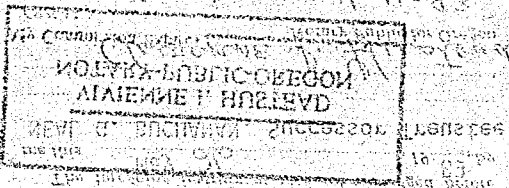
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Volume 89 Page 9210

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by RODRIGO R. GONZALEZ, JR. and TERESA G. GONZALEZ, husband and wife, as grantor, to ASPEN TITLE & ESCROW, INC., an Oregon Corporation (Neal G. Buchanan as successor), trustee, in favor of FLORENCE L. STONE, as beneficiary, dated January 2, 1987, recorded January 30, 1987, in the mortgage records of WASCO County, Oregon, in book/reel/volume No. M-87 at page 1603, or as fee/file/instrument/microfilm/reception No. 70950 (indicate which), covering the following described real property situated in said county and state, to-wit:

Beginning at the Southwest corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 12, Township 39 South, Range 18 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence running East 264 feet; thence North 165 feet; thence West 264 feet; thence South 165 feet to the place of beginning.



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:

A. A portion of the monthly payments in the sum of \$215.00 due October 5, 1987, together with the entire monthly payment in the sum of \$430.00 due the 5th day of each month thereafter.

B. Real property taxes in the amounts as follows: 1987-88, \$641.12, plus interest & 1988-89, 645.43, plus 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:

A. \$41,617.23; together with interest on the said sum at the rate of 9% per annum from June 22, 1988; unpaid interest in the sum of \$2,214.90.

B. Real property taxes in the amounts as follows: 1987-88, \$641.12, plus interest 1988-89, 645.43, plus interest

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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 1:50 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on October 6, 1989, at the following place: 601 Main Street, Suite 215 in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.

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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

RODRIGO R. GONZALEZ, JR. and TERESA G. GONZALEZ Grantor and party in possession

2919 Orinda Te Road
Klamath Falls, OR 97601

and
4460 Vrain Street
Denver, Colorado 80212

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.

DATED: May 26, 1989, at Klamath Falls, Oregon, before me, Neal G. Buchanan, Successor Trustee Beneficiary (State which)

STATE OF OREGON, County of Klamath } ss. The foregoing instrument was acknowledged before me this

May 26, 1989, by NEAL G. BUCHANAN, Successor Trustee, and VIVIENNE I. HUSTEAD, Notary Public for Oregon. My Commission Expires 4-11-93

My commission expires: 4-11-93

NOTICE OF DEFAULT AND ELECTION TO SELL

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

Re: Trust Deed From
RODRIGO R. GONZALEZ, JR. and
TERESA G. GONZALEZ Grantor
ASPEN TITLE & ESCROW, INC. Trustee

AFTER RECORDING RETURN TO
NEAL G. BUCHANAN
Attorney at Law
601 Main Street, Suite 215
Klamath Falls, OR 97601

STATE OF OREGON, County of Klamath } ss.

I certify that the within instrument was received for record on the 26th day of May, 1989, at 11:47 o'clock A.M., and recorded in book/reel/volume No. M89 on page 9210 or as fee/tile/instrument/microfilm/reception No. 662. Record of Mortgages of said County.

Witness my hand and seal of County affixed.
Evelyn Biehn, County Clerk
NAME TITLE
By Debra M. Muller Deputy

Fee \$13.00