

BOOK 2690
PAGE 31507
George C. BEINWITZER

K-41597 Vol. m89 Page 13020

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Nevada Corporation, Klamath County Title Company, as grantor, to in favor of Bank of America National Trust and Savings Association, as trustee, dated October 24, 1984, recorded October 31, 1984, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M84, at page 18609, or as fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in said county and state, to-wit:

SEE ATTACHED EXHIBIT "A"
Plus all fixtures and mobile homes, if any, located thereon.

GEORGE C. BEINWITZER

GEORGE C. BEINWITZER

1017 J3 '16 80
COUNTY OF Klamath

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:

Monthly installments of \$3710.29 each, commencing with the payment due January 1, 1989 and continuing each month until this trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$890.46 as of May 1, 1989 and further late charges of \$148.41 on each delinquent payment thereafter; plus all fees, costs and expenses associated with this foreclosure, all sums expended by beneficiary to protect the property or its interest therein during the pendency of this proceeding, evidence that taxes are paid as provided by the terms of the Trust Deed.

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: The sum of \$371,628.04 with interest thereon at the rate of 10.668% per annum from December 1, 1988, until paid; plus all fees, costs and expenses associated with this foreclosure, all sums expended by beneficiary to protect the property or its interest therein during the pendency of this proceeding, evidence that taxes are paid as provided by the terms of the Trust Deed.

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 grantor of the trust deed, together with any interest the grantor or grantor's 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 10:00 P.M. in accord with the standard of time established by ORS 187.110 on November 28, 1989, at the following place: front door - Klamath County Courthouse 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

NATURE OF RIGHT, LIEN OR INTEREST

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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 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 July 13, 19 89

GEORGE C. REINMILLER Successor-Trustee

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

STATE OF OREGON,) ss.
County of Multnomah

Notary Public for Oregon

My commission expires: 2-27-93

This instrument was acknowledged before me on July 13, 19 89, by GEORGE C. REINMILLER

Notary Public for Oregon

My commission expires: 2-27-93

(SEAL) My commission expires: 2-27-93

(SEAL) My commission expires: 2-27-93

NOTICE OF DEFAULT AND ELECTION TO SELL
(FORM No. 884)

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

Re: Trust Deed From

Redwood Theatres, Incorporated, a Nevada Corporation,
Klamath County Title Company, Oregon Trustee

AFTER RECORDING RETURN TO

George C. Reinmiller
521 SW Clay
Portland, OR 97201

STATE OF OREGON,) ss.
County of _____

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By _____ Deputy

EXHIBIT "A"

That portion of vacated Lakeview Addition to the City of Klamath Falls, Oregon, in the County of Klamath, State of Oregon, including streets, street intersections, alleys, lots and blocks, heretofore vacated by Ordinance No. 5531, and within the bounds of the following description:

Beginning at the Northwest corner of Lot 4, Block 36, Lakeview Addition to the City of Klamath Falls, Klamath County, Oregon; thence South along the East line of Biehn Avenue to the North line of Sacramento Street; thence East along the North line of Sacramento Street to the West line of Harriman Avenue; thence North along the West line of Harriman Avenue to the Northeastly corner of Block 39, said Lakeview Addition; thence Northwestly along the Northeast line of said Block 39, extended across Ohio Avenue; thence along the Northeast line of Block 38, extended across Holabird Avenue; thence along the Northeast line of Block 36 to the North line of Lot 4, said Block 36; and thence along the North line of said Lot 4, to the point of beginning, all in said Lakeview Addition to the City of Klamath Falls, Oregon.

EXCEPTING THEREFROM Block 44 now vacated and EXCEPTING that portion conveyed to Klamath County by Deed Volume 95 at page 518, for road purposes.

STATE OF OREGON; COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 17th day
of July A.D., 19 89 at 3:41 o'clock P.M., and duly recorded in Vol. M89
of Mortgages on Page 13020

Evelyn Biehn County Clerk

By Online Notary

FEE \$18.00