

OK

3177

TRUSTEE'S NOTICE OF SALE

Vol. m89 Page 13832

Reference is made to that certain trust deed made by JAMES H. BAGGETT and DORA BAGGETT, husband and wife, ASPEN TITLE & ESCROW, INC., an Oregon Corporation, as grantor, to DAISY MAY SHAW, as trustee, dated September 6, 1988, recorded September 13, 1988, in the mortgage records of Klamath County, Oregon, in book 14970 / volume No. M-88 at page 14970, tee/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."

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: \$550 per month due on December 29, 1988, and each month thereafter, plus real estate taxes for the year 1988-89 in the amount of \$2,341.47 plus interest in the amount of \$105.39 as of June 26, 1989. Taxes for the year 1989-90 are now a lien but not yet payable.

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: \$54,566.74 plus interest at the rate of 10 percent per annum from November 29, 1988, plus real estate taxes for the year 1988-89 in the amount of \$2,341.47 plus interest in the amount of \$105.39, as of June 26, 1989. Taxes for the year 1989-90 are now a lien but not yet payable.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 15, 1989, at the hour of 10:15 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Klamath County Courthouse front steps, 316 Main Street 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 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 7/28, 1989Richard Fairclough

Trustee

State of Oregon, County of _____ ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE:

EXHIBIT "A"

A piece or parcel of land situate in the S 1/2 SW 1/4 of Section 30, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the point of intersection of the section line marking the Southerly boundary of the said Section 30 with a line parallel with and 50 feet distant at right angles Southeasterly from the center line of the Klamath Falls-Midland section of the Oregon State Highway as the same is now located and constructed, from which point of intersection the Southwesterly corner of the said Section 30 bears South 89 degrees 42 1/2' West 827.1 feet, more or less, distant, and running North 36 degrees 49 1/2' East, along said parallel line 337.62 feet to the true point of beginning of this description; thence North 36 degrees 49 1/2' East, and continuing along said parallel line 200.0 feet; thence South 53 degrees 10 1/2' East 250.0 feet; thence South 36 degrees 49 1/2' West and parallel with said center line of the Klamath Falls-Midland section of the Oregon State Highway 200.0 feet; thence North 53 degrees 10 1/2' West 250.0 feet, more or less, to the said point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Proctor & Fairclo the 28th day
of July A.D., 19 89 at 11:24 o'clock AM., and duly recorded in Vol. M89
of Mortgages on Page 13837.

FEE \$13.00

Evelyn Biehn, County Clerk

By Pauline Mullendare

Return: Proctor & Fairclo
280 Main
Klamath Falls, Or. 97601