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NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by DAVID C. MESSERLI and CHRISTEL MESSERLI, Husband and WifeMountain Title Company of Klamath County, as grantor, to
in favor of PAUL L. FOUCH AND MILLICENT M. FOUCH, Husband and Wife, as trustee,
dated September 16, 1987, recorded September 25, 1987, in the mortgage records ofKlamath County, Oregon, in book/reel/volume No. M87 at page 17515, or as
fee/file/instrument/microfilm/reception No. 17515 (indicate which), covering the following described realproperty situated in said county and state, to-wit: A Portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township
39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon,
described as follows:Beginning at a point marked by an iron pin on the North line of the
Klamath Falls-Ashland Highway and distant along said line of Highway 277.9
feet from the intersection of said line and the East line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;
thence Southwesterly along said line of Highway 100 feet to the Southwest
corner of the property herein conveyed; thence North 35 degrees West to the
North line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 39 South, Range 8 East of the
Willamette Meridian, Klamath County, Oregon; thence East along said North line
of SW $\frac{1}{4}$ NW $\frac{1}{4}$ to a point North 35 degrees East to the point of beginning; thence
South 35 degrees East to the point of beginning, being the Southeast corner
of the property herein conveyed. Also the strip of land lying Easterly of this
property and bounded on the East by the Westerly line of property deeded to
Everett C. Puckett by deed recorded in Volumn 107 page 495 Deed records.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: payments due since June 26, 1989, of \$184.99 and the full balance of
\$18,642.14, with interest at 9.5% per annum from June 26, 1989, until paid,
and payments due on first deed of Trust Klamath First Federal Savings and
Loan Association of Klamath Falls, Oregon in the sum of \$874.76 due from
July 11, 1989, through October 25, 1989 and \$285.00 a month thereafter,
commencing with October 25, 1989 and the 25th of each month thereafter.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 current balance of
\$18,642.14 with interest of 9.5% per annum from June 26, 1989, until paid,
together with costs of these proceedings and the aforesaid payments due
Klamath First Federal Savings & Loan upon its first deed of trust including
interest and costs thereon.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 February 7, 1990, at the following place: The law office of
Glenn Ramirez, 514 Walnut Street 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

David C. and Christel Messerli
Route 3, Box 277, Highway 66
Klamath Falls, OR 97601

vendee - owners interest, grantors
under deed of trust to be
foreclosed.

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 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: October 3, 1989

GLENN D. RAMIREZ-Successor Trustee

Trustee ~~XXXXXXXXXX~~ (State which)

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

(ORS 194.570)

STATE OF OREGON,

County of Klamath

The foregoing instrument was acknowledged before me this 3rd day of October, 1989, by

GLENN D. RAMIREZ-Successor Trustee

Notary Public for Oregon

(SEAL) My commission expires: 3-28-92

STATE OF OREGON, County of _____ ss.

The foregoing instrument was acknowledged before me this

____ day of _____, 19____, by

____ president, and by

____ secretary of

____ corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires:

(SEAL)

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

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

Re: Trust Deed From

Grantor

To

Trustee

AFTER RECORDING RETURN TO

Glenn D. Ramirez
P.O. Box 368
Klamath Falls, Or. 97601

SPACE RESERVED FOR RECORDER'S USE

Fee \$13.00

STATE OF OREGON, County of _____ ss.

I certify that the within instrument was received for record on the 3rd day of Oct., 1989, at 3:42 o'clock PM., and recorded in book/reel/volume No. M89 on page 18681 or as fee/file/instrument/microfilm/reception No. 5981

Record of Mortgages of said County.

Witness my hand and seal of

County affixed.

Evelyn Biehn, County Clerk

NAME TITLE

By Pauline M. Munk, Deputy