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Vol. M89 Page 25303

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Dean A. Flohr & Constance J. Flohr, husband & wife, as grantor, to Mountain Title Co., Inc. which duties are assigned to Bradford J.*, as trustee, in favor of Rhoda Harnden & Julie Evans not as tenants in common**, as beneficiary, dated November 29, 1983, recorded November 29, 1983, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M83 at page 20458, or as fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in said county and state, to-wit: The 3 of Block 37, HOT SPRINGS ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM the following:

Beginning at the most Northerly corner of Lot 3, Block 37, HOT SPRINGS ADDITION to Klamath Falls, Oregon; thence South 61° 42' West along the line between Lots 2 and 3 of said Block 37, a distance of 87.5 feet to the North-easterly line of said Lot 3; thence North 28° 18' West, one foot to the point of beginning, being a portion of Lot 3, Block 37, Hot Springs Addition to Klamath Falls, Oregon.

*Aspell, Attorney at Law, an active member of the Oregon State Bar, by appointment of successor trustee dated Oct. 16, 1989, recorded at Volume M89, page 24650 of the Klamath Co. Mortgage Records, a successor trustee.

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:

Taxes	\$ 447.05
Unpaid Principal Balance	\$1,500.00
Unpaid Interest through 12-15-89	

**but with the right of survivorship.

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:

Taxes	\$ 447.05
Unpaid Principal Balance	\$55,082.18
Unpaid Interest through 12-15-89	1,889.49

**Main Street, Klamath Falls, Oregon 97601

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 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on May 23, 1990, at the following place: inside the front foyer of the Klamath County Courthouse, 316** 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
Charles R. Moore	836 Pacific Terrace Klamath Falls, Oregon 97601

Dean H. & Constance J. Flohr	1051 N. Alameda Ve. Klamath Falls, Oregon 97601
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Robert M. & Eleanor J. Gibbs	East 4023 Chris Court Mead, WA 99021
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Rodney J. Friesen/Friesen Plumbing	1717 Main Street Klamath Falls, Oregon 97601
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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 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: 12-28, 1989

Trustee (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

County of Klamath

The foregoing instrument was acknowledged before me this

12-28, 1989, by

president, and by

secretary of

a corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires: 10-12-92

My commission expires:

My commission expires:

My commission expires:

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NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 894)

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

Re: Trust Deed From

Dean H. & Constance J. Flohr

Grantor

To

Mountain Title Co., to Bradford

J. Aspell as successor trustee.

AFTER RECORDING RETURN TO

Aspell, Della-Rose & Richard

122 S. 5th St.

Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

13.00

STATE OF OREGON,

County of Klamath

I certify that the within instru-

ment was received for record on the

29 day of Dec 1989

at 4:15 o'clock P.M., and recorded

in book/reel/volume No. M89 on

page 25303 or as fee/file/instrument/

microfilm/reception No. 9612

Record of Mortgages of said County.

Witness my hand and seal of

County affixed.

Evelyn Biehne

By Berntha H. Helbo Deputy