

14232

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by R. Mark Trelease and Doris Dee Trelease,  
husband and wife, as grantor, to  
Klamath County Title Company, as trustee,

in favor of Jackson County Federal Savings and Loan Association, as beneficiary,  
 dated November 10, 1986, recorded November 19, 1986, in the mortgage records of  
Klamath County, Oregon, in book/deed volume No. M86 at page 21105, ~~OR 884~~  
 (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

See Exhibit A attached and incorporated herein.

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 payments of \$405.00 beginning 12-01-89 to 04-01-90; plus late charges of \$16.20 each month beginning 5-16-90; plus prior accrued late charges of \$81.00; plus escrow advances of \$31.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

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:  
 \$36,524.44 with interest thereon at the rate of 9.50 percent per annum beginning 11-1-89 until paid; plus late charges of \$16.20 each month beginning 5-16-90 until paid; plus prior accrued late charges of \$81.00; plus escrow advances of \$31.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

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 o'clock, AM, in accord with the standard of time established by ORS 187.110 on September 5, 1990, at the following place: inside door to main lobby of  
the 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.

90 APR 30 PM 4 10



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

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: April 23, 1990 David E. Fennell (state which)  
Trustee ~~Deputy~~

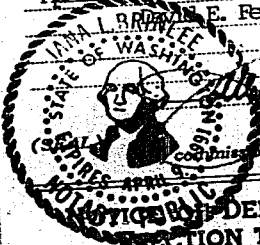
(If the signer of the above is a corporation,  
use the form of acknowledgment opposite  
and affix corporate seal.)

STATE OF ~~OREGON~~ WASHINGTON

County of King

This instrument was acknowledged before me on  
April 23, 1990, by

David E. Fennell



Notary Public for Oregon

commission expires: 4/9/91

STATE OF OREGON, } ss.

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_,  
19\_\_\_\_, by \_\_\_\_\_  
as \_\_\_\_\_  
of \_\_\_\_\_

Notary Public for Oregon

My commission expires: \_\_\_\_\_

(SEAL)

**NOTICE OF DEFAULT AND  
INTENTION TO SELL**

(FORM No. 884)

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

Re: Trust Deed From

Release

Grantor

To

Fennell

Trustee

AFTER RECORDING RETURN TO

Kim Foust

PRESION THORGRIMSON SHIDLER GATES & ELLIS

5400 Columbia Center, 701 5th Avenue

Seattle, Washington 98104

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, } ss.

County of \_\_\_\_\_

I certify that the within instru-  
ment 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.

NAME

By \_\_\_\_\_

TITLE

Deputy

## EXHIBIT A

PARCEL I: Lot 8 in Block 48 of BUENA VISTA, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

PARCEL II: A parcel of land situate in Lots 6 and 7, Block 48, BUENA VISTA ADDITION to the City of Klamath Falls, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a 5/8" iron pin marking the most Southerly corner of Lot 6, Block 48, said BUENA VISTA ADDITION; thence North 57° 00' 00" West, 35.0 feet; thence North 50° 00' 00" West 47.0 feet; thence South 17° 43' 55" West, to an intersection with the Northerly line of Lot 8, Block 48, said BUENA VISTA ADDITION; thence South 64° 45' 58" East to the point of beginning.

Property Address: 243 Soquel Street, Klamath Falls, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 30th day  
of April A.D., 19 90 at 4:10 o'clock P.M., and duly recorded in Vol. M90,  
of Mortgages on Page 8081.

FEE \$18.00

Evelyn Biehn County Clerk

By *William Mullens*