

17272

Vol. M90 Page 13498

NOTICE OF DEFAULT AND ELECTION TO SELL

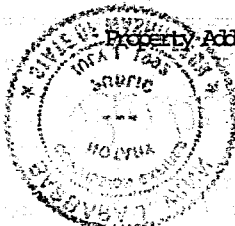
Reference is made to that certain trust deed made by Gary T. WhittleTransamerica Title Insurance Companyin favor of Equitable Savings and Loan Associationdated February 8, 19 78, recordedFebruary 22, 19 78

, in the mortgage records of

KlamathCounty, Oregon, in book 1024/000000No. M-78at page 3321

, covering the following described real property situated in said county and state, to-wit:

The South 80 feet of Lots 604 and 605, Block 103, MILLS ADDITION TO THE CITY
OF KLAMATH FALLS; in the County of Klamath, State of Oregon.

Property Address: 830 East Main Street, Klamath Falls, Oregon 97601

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 \$277.66 beginning 4-1-90 to 7-1-90; plus late charges of \$11.86 each month beginning 7-17-90; plus prior accrued late charges of \$59.30; 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:
\$15,702.45 with interest thereon at the rate of 9.75 percent per annum beginning 3-1-90 until paid; plus late charges of \$11.86 each month beginning 7-17-90 until paid; plus prior accrued late charges of \$59.30; 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, A.M., in accord with the standard of time established by ORS 187.110 on November 14, 1990, at the following place: inside the east 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 11 6 PM 1 59

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: July 3, 1990

David E. Rennell
Trustee

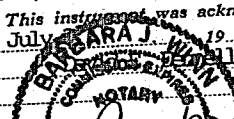
(state which)

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

STATE OF WASHINGTON

County of King

This instrument was acknowledged before me on July 3, 1990, by



(SEAL)

Notary Public for Washington
My commission expires: 7/1/92

STATE OF OREGON,

County of

This instrument was acknowledged before me on

19____, by

as

of

Notary Public for Oregon

(SEAL)

My commission expires:

NOTICE OF DEFAULT AND ELECTION TO SELL
(FORM No. 684)

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

Re: Trust Deed From

Whittle/Lunde

Grantor

To

Rennell

Trustee

AFTER RECORDING RETURN TO
KIM ROSE
ERSON THORGRIMSON SHIDLER GATES & ELLIS
5400 Columbia Center, 701 5th Avenue
Seattle, Washington 98104

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,
County of Klamath

I certify that the within instrument was received for record on the 9th day of July, 1990, at 1:59 o'clock P.M., and recorded in book/reel/volume No. M90 on page 13498 or as fee/file/instrument/microfilm/reception No. 17272. Record of Mortgages of said County. Witness my hand and seal of County affixed.

EVELYN BIEHN, County Clerk

By Bernetha Deputy

\$13.00