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ASPEN 35838

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23763

NOTICE OF DEFAULT AND ELECTION TO SELL

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Reference is made to that certain trust deed made by JOHNNY D. MILLER AND JEAN M. MILLER,
HUSBAND AND WIFE

....., as grantor, to
WILLIAM L. SISEMORE. Successor Trustee: Aspen Title & Escrow, Inc., as trustee,
 in favor of CERTIFIED MORTGAGE CO. ASSIGNED TO BILL B. HARP AND ROSELYN M. HARP, as beneficiary,
 dated July 10, 1984, recorded July 13, 1984, in the mortgage records of
Klamath County, Oregon, in book/entry/series No. M-84 at page 11840
 Keyfile/Instrument/microfilm/reception No. XXXXXXXXXXXXXXX (indicate which), covering the following described real
 property situated in said county and state, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

THIS NOTICE OF DEFAULT AND ELECTION TO SELLER IS BEING
 RECORDED TO ADD THE LEGAL DESCRIPTION.

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 installments of principal and interest due for the months of August, September, October, November and December of 1990 in the amounts of \$86.84 each; and subsequent installments of like amounts; subsequent amounts for assessments due under the terms and provisions of the Note and Trust Deed.

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:
 \$450.18 plus interest and late charges, thereon from July 20, 1990, at the rate of FIFTEEN (15%) PER CENT PER ANNUM until paid and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

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 10:05 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on April 22, 1991, at the following place: ASPEN TITLE & ESCROW, INC., 525 Main 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.

90 DEC 14 PM 3 35

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

Dorothy Bonita Marsrow
138 Michigan
Klamath Falls, OR 97601

Occupant and Present Owner

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: November 30, 1990
Successor

ASPEN TITLE & ESCROW, INC.

BY [Signature]
Trustee Beneficiary (State which)

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

STATE OF OREGON,

(ORS 194.570)

STATE OF OREGON, County of Klamath } ss.

County of } ss.

The foregoing instrument was acknowledged before me this _____, 19____, by

The foregoing instrument was acknowledged before me this December 3, 1990, by ANDREW A. PATTERSON

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Assistant secretary of
ASPEN TITLE & ESCROW, INC.
a Oregon corporation, on behalf of the corporation.

[Signature]
Notary Public for Oregon

(SEAL)

Notary Public for Oregon

My commission expires:

My commission expires: 7/23/93

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

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

Re: Trust Deed From

Johnny D. Miller

Jean M. Miller Grantor

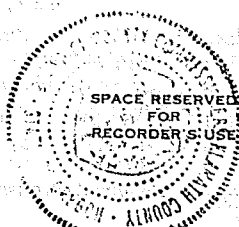
To

Aspen Title & Escrow, Inc.

Successor Trustee

AFTER RECORDING RETURN TO

Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601



13.00

STATE OF OREGON, } ss.
County of Klamath

I certify that the within instrument was received for record on the 6. day of Dec., 1990 at 10:55 o'clock A.M., and recorded in book/reel/volume No. M90 on page 24213 or as fee/file/instrument/microfilm/reception No. 23386, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn Clerk

NAME

TITLE

By [Signature] Deputy

That portion of Lot 11, Block 57, SECOND HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, described as follows:

Beginning at the Northeasterly corner of Lot 11 of said Block 57; thence Southwesterly along the Northerly line of said Lot 11, 94.2 feet to a point marking the Southeasterly corner of Lot 10 of said Block 57; thence Southeasterly at right angles 50 feet, more or less to the Southerly line of said Lot 11; thence Northeasterly along the Southerly line of said Lot 11 to Eldorado Avenue; thence Northerly along Eldorado Avenue 56 feet more or less to the point of beginning.

CODE 1 MAP 3809-28CC TL 5900

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 14th day
of Dec. A.D., 19 90 at 3:35 o'clock P M., and duly recorded in Vol. M90
of Mortgages on Page 24877.

FEE \$15.00

Evelyn Biehn County Clerk

By Pauline M. Mulendav