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ASPEN 04037984

## NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 92 Page 1205

Reference is made to that certain trust deed made by KENNETH R. BRISTER

ASPEN TITLE &amp; ESCROW, INC.

as grantor, to  
 in favor of MARCELLA CRUTCHFIELD, DELANO CRUTCHFIELD, MICHAEL CRUTCHFIELD AND\*, as trustee,  
 dated November 2, 1988, recorded December 13, 1988, in the mortgage records of  
 Klamath County, Oregon, in book 907288 No. M-88 at page 21187  
 covering the following described real  
 property situated in said county and state, to-wit: \*MARCIA RAPP, not as tenants in common, but with  
 full rights of survivorship

A tract of land in Block 7, ALTAMONT ACRES, in the County of Klamath, State of  
 Oregon, more particularly described as follows:

Beginning at a point on the North line of LaVerne Avenue 186 feet East of the  
 West line of Lot 11 of said Block 7, said point being 30 feet North of the  
 centerline of LaVerne Avenue; thence North parallel to the West line of Lot 11,  
 63.80 feet to a point; thence East 121.90 feet to the East line of said Block  
 7; thence South 63.80 feet to the North line of LaVerne Avenue; thence West  
 along the North line of LaVerne Avenue, 121.90 feet to the point of beginning.

CODE 41 MAP 3909-10AC TL 4500

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.

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 February,  
 March, April, May, June, July, August, September, October, November and December of 1991  
 and January of 1992, in the amounts of \$250.00 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:  
 \$25,464.83 plus interest and late charges, thereon from March 26, 1991, at the  
 rate of TEN (10%) 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 OF DEFAULT AND ELECTION TO SELL  
 ASPEN TITLE & ESCROW, INC.

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 Oregon Revised Statutes Sections 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 prop-  
 erty 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 pro-  
 vided 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., Standard Time as established by Section  
 187.110 of Oregon Revised Statutes on June 5, 1992, 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 fixed by the trustee for said sale.

92 JAN 21 AM 11 00



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

Ford Motor Credit Company  
c/o Russell D. Garrett  
Attorneys at Law  
Suite 1507, Standard Plaza  
1100 Southwest Sixth Avenue  
Portland, Oregon 97204-1016

Judgment

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 Section 86.753 of Oregon Revised Statutes.

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: January 21, 1992

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.)

(ORS 194.570)

STATE OF OREGON,

STATE OF OREGON, County of Klamath

ss.

County of

ss.

The foregoing instrument was acknowledged before me this January 21, 1992, by

The foregoing instrument was acknowledged before me this

January 21, 1992, by ANDREW A. PATTERSON

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Assistant secretary of

ASPEN TITLE & ESCROW, INC.

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

Kenneth R. Brister

Grantor

To

Aspen Title & Escrow, Inc.

Trustee

AFTER RECORDING RETURN TO  
Aspen Title & Escrow, Inc.  
525 Main Street  
Klamath Falls, OR 97601

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 21st day of Jan., 1992,

at 11:00 o'clock A.M., and recorded in book/reel/volume No. M92 on

page 1205 or as fee/file/instrument/microfilm/reception No. 40015

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME  
By: *[Signature]* Deputy

Fee \$13.00