

TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL

This notice of sale is given pursuant to ORS 86.735.

- (1) **PARTIES:** GRANTOR: Donald E. Bailey and William E. Bailey
ORIGINAL TRUSTEE: Mountain Title Company of Klamath County
ORIGINAL BENEFICIARY: Alyson Casey, Trustee for Gienger Liquidating Trust
- (2) **DESCRIPTION OF PROPERTY COVERED BY THE TRUST DEED:**
- That portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, not included in the First and Second Additions to Chiloquin, Oregon, described as follows: Starting at the East quarter corner of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon; thence South 1050 feet, more or less, to the Northeast corner of the First Addition to Chiloquin, Oregon; thence West 390 feet; thence North 63 degrees 08' West, 888 feet to the Southern Pacific Railway right of way; thence North 26 degrees 52' 750 feet, more or less, along the Southern Pacific Railway right of way; thence East to the point of beginning.
- (3) **RECORDING:** The Trust Deed was recorded on June 9, 1989, in the Mortgage Records of Klamath County, Oregon in Volume M89, Page 10278.
- (4) **DEFAULT FOR WHICH FORECLOSURE IS MADE:** Both the Beneficiary and the Trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and to foreclose said Deed by advertisement and sale. The default for which the foreclosure is made is Grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent: failure to pay monthly interest payments for November, 1990 in the sum of \$110.00 and the December, 1990 payment in the sum of \$200.00 and a \$200.00 payment for each month thereafter, plus failure to pay real property taxes in the sum of \$2,428.87
- (5) **SUM OWING ON OBLIGATION SECURED BY TRUST DEED:** By reason of said default the Beneficiary has declared the entire unpaid balance of all obligations secured by said Trust Deed together with the interest thereon immediately due, owing and payable, said sums being the following, to-wit: \$6,361.18, plus delinquent interest of \$23.27 plus interest at 8% per annum on the principal sum from May 7, 1991, plus real property taxes in the sum of \$2,428.87 plus interest, plus all further advances made by the beneficiary, and trustee's fees and attorney's fees as provided by law, plus all sums due for taxes, insurance, trustees fees, attorneys fees, and all other sums recoverable by the beneficiary under the note and Trust Deed.
- (6) **ELECTION TO SELL:** Take notice that Beneficiary and Trustee have elected to sell the property to satisfy the obligations secured by the Trust Deed and to satisfy the expenses of the sale, including the compensations of the Trustee as provided by law and reasonable attorney's fees, pursuant to ORS 86.705 to 86.795.
- (7) **SALE:** The sale shall be held on September 29, 1992, at the hour of 10:00 a.m. a.m., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at front steps of Klamath County Courthouse 316 Main Street Klamath Falls, Oregon.

- (8) **RIGHT TO DISMISSAL AND REINSTATEMENT:** Take notice that any person named in ORS 86.753 has the right, at any time prior to five (5) 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, or the Beneficiary's successor in interest, 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 of the Trust Deed that is capable of being cured, by tendering the performance required under the obligation or Trust Deed, and in addition to paying the 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 the trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

In construing this notice and whenever the context hereof so requires, 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 successors in interest, the word "Trustee" includes any Successor Trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed.

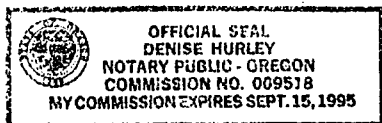
Dated: May 8

1992

By: [Signature]

Trustee

SUBSCRIBED AND SWORN TO before me this 8 day of May, 1992.



Denise Hurley
Notary Public for Oregon
My Commission Expires: 9/15/92

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness & Brandsness the 8th day of May A.D., 19 92 at 4:04 o'clock p. M., and duly recorded in Vol. M92 of Mortgages on Page 10131.

FEE \$15.00

Evelyn Biehn - County Clerk

By [Signature]

Return: Brandsness & Brandsness
411 Pine St.
Klamath Falls, Or. 97601