

TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL

This notice of sale is given pursuant to ORS 86.735.

- (1) **PARTIES:** GRANTOR: Casey Eugene Cunningham ORIGINAL TRUSTEE: Mountain Title Company of Klamath County ORIGINAL BENEFICIARY: Larry J. Atkison & Patsy J. Atkison or the survivor thereof.
- (2) **DESCRIPTION OF PROPERTY COVERED BY THE TRUST DEED:**
- Lot 5 in Block 11 of STEWART ADDITION, according to the official plat thereof on file in the office of the county Clerk of Klamath County, Oregon
- (3) **RECORDING:** The Trust Deed was recorded on January 8, 1992, in the Mortgage Records of Klamath County, Oregon in Volume M92, Page 402.
- (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 the monthly installments of principal and interest of \$202.85, commencing on May 1, 1992 and the first day of each month thereafter.
- (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: the sum of \$19,842.13, plus interest thereon at the rate of 9% per annum from April 1, 1992 until paid plus all costs, attorneys fees, trustees fees, taxes and other payments that may be advanced by the beneficiary, 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 November 6, 1992, at the hour of 10:00 a.m. a.m., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the front steps of the Klamath County Courthouse 316 Main St. 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.

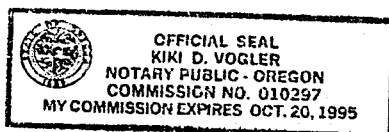
In construing this notice and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantor" includes any successor in interest to the Grantor as well as any other person owing an obligation, the performance of 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: June 9 10, 1992

By: [Signature]

Trustee

SUBSCRIBED AND SWORN TO before me this 10th day of June, 1992.



Kiki D. Vogler
Notary Public for Oregon
My Commission Expires: Oct. 20, 1995

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

2. NOTICE OF DEFAULT
atkipa01.005

Brandsness & Brandsness
on this 11th day of June A.D., 19 92
at 10:05 o'clock A M. and duly recorded
in Vol. M92 of Mortgages Page 12698.

Evelyn Biehn County Clerk

By [Signature]

Deputy.

Fee, \$15.00