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51793

NOTICE OF DEFAULT AND ELECTION TO SELL

Vol. 92 Page 23077

Reference is made to that certain trust deed made by DONALD JONAS & MARIA JONAS, husband and wife, as grantor, to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, as trustee, in favor of HERBERT H. EBERLE & WILMA L. EBERLE, husband and wife or survivor as beneficiary, dated October 24, 1989, recorded December 6, 1989, in the mortgage records of Klamath County, Oregon, in book/leaf/volume No. M89 at page 23599, or as fee/file/instrument/microfilm/reception No. 8735 (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 10 in Block 24 of TRACT 1005, FOURTH ADDITION TO KLAMATH RIVER ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No. 3907-26D0-6700

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: a portion of the monthly payment due January 1, 1992, in the amount of \$86.26, together with the monthly payment due February 1, 1992 and thereafter in the sum of \$106.24 each month; failure of the grantor to pay real property taxes for the tax years and in the amounts as follows: 1990-91 \$140.65 plus interest, 1991-92 \$147.83 plus interest

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: \$2,630.99 together with interest on said sum at the rate of 10% per annum from December 26, 1991 until paid; unpaid real property taxes for the tax years and in the amounts as follows: 1990-91 \$140.65 plus interest and 1991-92 \$147.83 plus interest

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 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on February 19, 1993, at the following place: First Interstate Bank Bldg., 601 Main St., Suite 215 in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.

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

Donald Jonas & Maria Jonas
1715 Golden Arrow
Las Vegas, Nevada 89109

grantor

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.

NEAL G. BUCHANAN

Successor Trustee

DATED: October 2, 1992

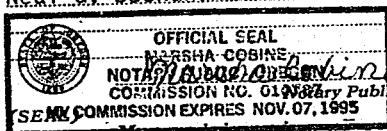
(If the signer of the above is a corporation,
use the form of acknowledgment opposite
and affix corporate seal.)

STATE OF OREGON,

County of Klamath

ss.

This instrument was acknowledged before me on
October 2, 1992, by
Neal G. Buchanan



STATE OF OREGON,

County of

ss.

This instrument was acknowledged before me on

1992, by

as

of

Notary Public for Oregon

(SEAL)

My commission expires:

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

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

Re: Trust Deed From

Donald Jonas & Maria Jonas,
husband and wife

Grantor

To

Mountain Title Company of

Klamath County

Trustee

Neal G. Buchanan, Successor Trustee

AFTER RECORDING RETURN TO

Neal G. Buchanan,
601 Main Street, Suite 215
Klamath Falls, Oregon 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instru-
ment was received for record on the
2nd day of Oct., 1992
at 11:54 o'clock A.M., and recorded
in book/reel/volume No. M92 on
page 23077 or as fee/file/instrument/
microfilm/reception No. 51793
Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

Evalyn Biehn, County Clerk

NAME

TITLE

By Evelyn Biehn, Deputy

Fee \$15.00