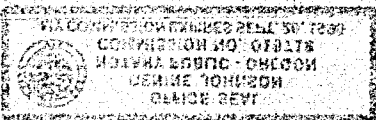


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## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by JERRY A. BRISCOE and LINDA J. BRISCOE, HUSBAND AND WIFE AS TENANTS BY THE ENTIRETY, as grantor, to ASPEN TITLE & ESCROW, INC., as trustee, in favor of ROBERT V. WETHERN, SR., as beneficiary, dated JUNE 1, 1991, recorded JUNE 27, 1991, in the mortgage records of KLAMATH County, Oregon, in book/reel/volume No. M-91 at page 12275, or as fee/file/instrument/microfilm/reception No. 31185 (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 8, Block 58, KLAMATH FALLS FOREST ESTATES, HIGHWAY 66 UNIT, PLAT 2  
 NOTICE OF DEFAULT AND ELECTION TO SELL



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 \$74.74 for the Months of March, April, May, June, July,

August, September and October 1992; 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:

\$3,076.53 plus interest and late charges, thereon from February 8, 1992 at the rate of TEN AND ONE-HALF (10.5%) 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 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 2:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on March 5, 1993, at the following place: In the lobby of Aspen Title and 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.

Return to: ASPEN Title & Escrow Inc  
 525 Main St Klamath Falls OR 97601

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

NONE

NATURE OF RIGHT, LIEN OR INTEREST

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.

DATED: October 21, 1992

ASPEN TITLE & ESCROW, INC.

By: Andrew A. Patterson  
Trustee

STATE OF OREGON, County of Klamath

This instrument was acknowledged before me on 10/23, 1992

by \_\_\_\_\_, 19\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_

by ANDREW A. PATTERSON  
as ASSISTANT SECRETARY  
of ASPEN TITLE & ESCROW, INC.

Genene Johnson  
Notary Public for Oregon  
My commission expires 9-28-96



# NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 684)  
STEVENS-NEES LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From  
JERRY A. BRISCOE  
LINDA J. BRISCOE Grantor  
To  
ASPEN TITLE & ESCROW, INC.  
Trustee

AFTER RECORDING RETURN TO  
ASPEN TITLE & ESCROW, INC.  
525 MAIN STREET  
KLAMATH FALLS, OR 97601

SPACE RESERVED FOR RECORDER'S USE

Fee \$15.00

STATE OF OREGON, County of Klamath ss.

I certify that the within instrument was received for record on the 23rd day of Oct., 1992 at 10:41 o'clock A.M., and recorded in book/reel/volume No. M92 on page 24860 or as fee/file/instrument/microfilm/reception No. 52739, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk  
NAME TITLE

By: [Signature] Notary Public