

72797

Return to:
 Michael P. Rudd
 Brandsness & Brandsness
 411 Pine Street
 Klamath Falls, Oregon 97601

Clerk's Stamp:

TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL

This notice of sale is given pursuant to ORS 86.735.

- (1) **PARTIES:** GRANTOR: Charles W. Cossey and Ann Von Der Ahe ORIGINAL TRUSTEE: Mountain Title Company, Inc. ORIGINAL BENEFICIARY: William J. Cadman and Lo Etta A. Cadman
- (2) **DESCRIPTION OF PROPERTY COVERED BY THE TRUST DEED:**
 See attached "Exhibit A"
- (3) **RECORDING:** The Trust Deed was recorded on July 13, 1987, in the Mortgage Records of Klamath County, Oregon in Volume M87, Page 12279.
- (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 payments of \$1,099.88 for the months of August, September and October 1993, and failure to pay insurance premiums incurred in the sum of \$162.00 on October 5, 1993, plus interest thereon
- (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: monthly payments in the sum of \$1,099.88 from August 1, 1993 and the first day of each month thereafter, plus the sum of \$162.00 advance, plus interest at 10% from October 5, 1993 until paid, 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 April 18, 1994, at the hour of 10:00 a.m. a.m., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Law Offices, Brandsness & Brandsness, P.C., 411 Pine 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.

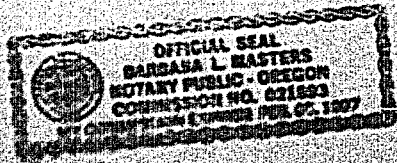
In construing this notice and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantor" includes any successor in interest to the Grantor as well as any other person owing an obligation, the performance of 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: November 10, 1993.

By: 

Andrew C. Brandsness
Trustee
411 Pine Street
Klamath Falls, Oregon 97601
(503) 356-2108

SUBSCRIBED AND SWORN TO before me this 10th day of
November, 1993.





Notary Public for Oregon
My Commission Expires: 5-97

DESCRIPTION SHEET

12281

Beginning at a point on the Westerly shore of Recreation Creek, said point being the Southeasterly corner of that parcel heretofore conveyed to N. E. Salleck and recorded in Volume 150, page 289, Deed Records of Klamath County, Oregon, and said point being more particularly described as being situated from the Northwest corner of Section 2, Township 36 South, Range 6 East of the Willamette Meridian, South 24 degrees 03 1/2' West 581.5 feet and thence South 65 degrees 56 1/2' East 784.6 feet; thence from the point of beginning herein described North 65 degrees 56 1/2' West 182.1 feet to a point on the Easterly side of the Rocky Point Road (State Secondary Highway No. 421); thence along the Easterly side of said Rocky Point Road South 36 degrees 16' West 171.6 feet to a point; thence continuing along the Easterly side of Rocky Point Road South 34 degrees 20 1/2' West 130.6 feet to a point; thence continuing along the Easterly side of Rocky Point Road South 36 degrees 44 1/2' West 114.1 feet to a point; thence South 73 degrees 12 1/2' East 251.2 feet to a point on the Westerly shore of Recreation Creek; thence along the Westerly or right shore of Recreation Creek North 26 degrees 38' East 375.5 feet, more or less, to the point of beginning, being situated in Lot 4 of Section 2, Township 36 South, Range 6 East of the Willamette Meridian.

EXCEPTING THEREFROM THE FOLLOWING:

Beginning at a point on the Westerly shore of Recreation Creek, said point being the Southeasterly corner of that parcel heretofore conveyed to N. E. Salleck and recorded in Volume 150, page 289, Deed Records of Klamath County, Oregon, and said point being more particularly described as being situated from the Northwest corner of Section 2, Township 36 South, Range 6 East of the Willamette Meridian, South 24 degrees 03 1/2' West 581.5 feet; and thence South 65 degrees 56 1/2' East 784.6 feet; thence from the point of beginning herein described North 65 degrees 56 1/2' West 182.1 feet to a point on the Easterly side of the Rocky Point Road (State Secondary Highway No. 421); thence along the Easterly side of said Rocky Point Road South 36 degrees 16 1/2' West 90 feet to a point; thence South 65 degrees 56 1/2' East an estimated 204 feet, more or less to a point on the Westerly shore of Recreation Creek; thence along the Westerly or right shore of said Recreation Creek North 26 degrees 38 1/2' East 90 feet, more or less to the point of beginning, situated in Lot 4 of Section 2, Township 36 South, Range 6 East of the Willamette Meridian.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company the 13th day of July A.D., 1993 at 11:56 o'clock A. M., and duly recorded in Vol. M87 of Mortgages on Page 12279
 FEE \$13.00
 Evelyn Biehn, County Clerk
 By [Signature]

EXHIBIT "A"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness & Brandsness the 14th day of Dec. A.D., 1993 at 3:47 o'clock P. M., and duly recorded in Vol. M93 of Mortgages on Page 33244
 FEE \$20.00
 Evelyn Biehn, County Clerk
 By [Signature]