

04-18-94A11:02 RCVD

ASPEN 04041627/F

Vol. m94 Page 11394

ASPEN 04041627/F
NOTICE OF DEFAULT AND ELECTION TO SELL

PARCEL 1:

PARCEL 2

Lot 7C

There is a default by the grantor or other person owing an obligation, the performance of which is secured by the trust deed, or by the 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: Balance of monthly installments due of \$224.69 due for December of 1993 and January, February, March and April of 1994; 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 the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit: Unpaid balance of \$18,663.38 plus interest and late charges, thereon from December 1, 1993 at the rate of 10% (TEN PER CENT) per annum until paid and any delinquent taxes owing and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

— OVER —

**NOTICE OF DEFAULT
AND ELECTION TO SELL**

Re: Trust Deed from

10

Trustees

After recording return to (Name, Address, Zip):
 ASPEN TITLE & BOOKS

ASPEN TITLE & ESCROW, INC
ATTN: FOREIGN

ATTN: FORECLOSURE DEPARTMENT

STATE OF OREGON,
County of _____

County of _____ } ss.

I certify that the within instrument
was received for record on the _____ day
of _____, 19____,
at _____ o'clock _____ M., and recorded
in book/reel/volume No. _____ on
page _____ or as fee/file/instru-
ment/microfilm/reception No. _____,
Record of Mortgages of said County.
Witness _____ ss.

Witness my hand and seal of
County affixed.

NAME _____

TITLE

By _____, Deputy

Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the 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 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 successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the 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.

The sale will be held at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on September 19, 1994, at the following place: Front entry to Aspen Title & Escrow, INC at 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 the sale.

Other than as shown of record, neither the beneficiary nor the 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

George Robert Fleming and
Patricia L. Fleming
203 Sweigle
Molalla, Oregon 97038

NATURE OF RIGHT, LIEN OR INTEREST

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 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 trustee's and attorney's fees not exceeding the amounts provided by 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

ASPEN TITLE & ESCROW, INC

DATED April 18, 1994

By Andrew A. Patterson
Trustee Beneficiary (state which)

STATE OF OREGON, County of KLAMATH) ss.

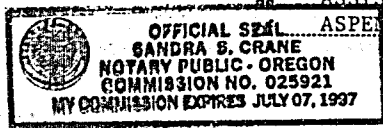
This instrument was acknowledged before me on _____, 19____,

by _____

This instrument was acknowledged before me on APRIL 18, 1994,

by ANDREW A. PATTERSON

ASSISTANT SECRETARY



ASPEN TITLE & ESCROW, INC

Sandra S. Crane
Notary Public for Oregon

My commission expires 7/7/97

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co the 18th day of April A.D. 1994 at 11:02 o'clock A.M., and duly recorded in Vol. M94 of Mortgages on Page 11394.

FEE \$15.00

Evelyn Biehn County Clerk

By Sandra S. Crane