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08-12-94A09:00 RCVD

Volm94 Page 24926

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from Robin Fryling, Grantor
To Thomas B. Wasson, Beneficiary.

AFTER RECORDING RETURN TO:

Kosta, Spencer, Runnels & MacArthur
439 Pine Street
Klamath Falls, OR 97601

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Robin Fryling, as grantor, to Mountain Title Company of Klamath County as trustee, in favor of Thomas B. Wasson, Beneficiary, dated May 31, 1991, recorded June 18, 1991, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M91 at page 11614, covering the following described real property situated in said county and state, to-wit:

See Exhibit "A": attached hereto and incorporated herein by this reference.

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.

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:

Payments in the amount of \$224.00 per month for April 1994 through the present plus late charges in the amount of \$25.00 to Klamath First Federal Savings and Loan.

Payments in the amount of \$100.00 per month for August, September and November 1992, January, March, April, June, July, September, October and December 1993 and January 1994 through the present.

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: \$5,367.80 as of July 28, 1994, 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 Oregon Revised Statutes Sections 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 him of the trust deed, together with any interest the grantor or his 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 compensation of the trustee as provided by law, and the reasonable fees of trustee's attorney.

Said sale will be held at the hour of 10:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on December 19, 1994, at the following place: 439 Pine Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee of said sale.

Other than as shown of record, neither the said beneficiary or 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

Laura Jeanette Fryling
2546 Tablerock Road
Medford, OR 97501

Mark Trelease
8923 Hope Street
Klamath Falls, OR 97603

Leo Avender
12964 Overland Drive
Keno, OR 97627

NATURE OF RIGHT, LIEN OR INTEREST

Judgment Klamath County
Case No. 9100712CV, March 1, 1991

Trust Deed, Volume M93 at Page 30459

Trust Deed, Volume M94 at Page 639

Sur-Save Auto Supply, Inc.
919 Klamath Avenue
Klamath Falls, OR 97601

Environmental Recycling of Klamath Falls, Inc, dba Discount Lumber
4027 Miller Avenue
Klamath Falls, OR 97603

South Valley State Bank
5215 S. 6th Street
Klamath Falls, OR 97601

Judgment Klamath County
Case No. 9400444CV March 2, 1994
Case No. 9401055CV March 21, 1994

24927

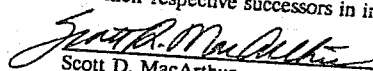
Judgment Klamath County
Case No. 9400738CV April 15, 1994

Judgment Klamath County
Case No. 9401708CV June 23, 1994

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 Section 86.753 of Oregon Revised Statutes.

In construing this notice, 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 words "trustee" and "beneficiary" include their respective successors in interest, if any.

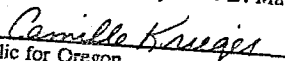
DATED: August 11th, 1994.


Scott D. MacArthur,
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 11th day of August, 1994, by Scott D. MacArthur.

(S E A L)

Before me: 
Notary Public for Oregon
My Commissioner Expires: 9-22-96



STATE OF OREGON, County of Klamath) ss.

I certify that the within instrument 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/instrument/microfilm/reception No. ____, Recorded of Deeds of said County.

Witness my hand and seal of County affixed.

Name _____ Title _____
By _____ Deputy _____

EXHIBIT "A"
LEGAL DESCRIPTION

24928

That portion of Tract 5 of SUBDIVISION OF TRACTS 25 to 32, inclusive, TOGETHER WITH THE SOUTH 10 FEET OF TRACTS 33 and 34 of ALTAMONT RANCH TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Beginning at the Southwest corner of said Tract 5; thence Easterly along the Southern boundary line of said Tract 5 a distance of 85 feet; thence Northerly in an line parallel to and 85 feet from the West boundary line of Tract 5 a distance 135 feet; thence Westerly on a line parallel to and 135 feet from said Southern boundary line of Tract 5 a distance of 85 feet to the West boundary line of Tract 5; thence in a Southerly direction along said West boundary line a distance of 135 feet to the point of beginning.

Subject to an easement for road purposes over the Easterly 9 feet.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Kosta, Spencer et al the 12th day
of Aug A.D. 19 94 at 9:00 o'clock A M. and duly recorded in Vol. M94
of Mortgages on Page 24926
Evelyn Biehn - County Clerk
By Pauline M. Mendenhall

FEE \$20.00