

NL

01-12-95A11:08 RCVD

93575

ASPEN 04042696

Volume 5 Page 949

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Annie T. Lee, a married woman, as her separate property, as grantor, to Aspen Title & Escrow, INC., as trustee, in favor of F.N. Realty Services, INC., a California Corporation, as beneficiary, dated November 15, 1991, recorded June 26, 1992, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M92 at page 14090, or as fee/file/instrument/microfilm/reception No. 46767 (indicate which), covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 25, Block 31, Tract No. 1184, Oregon Shores Unit #2, FIRST ADDITION, in the County of Klamath, State of Oregon.  
Code 138 Map 3507-17BC-TL 5900

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 situated, further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 85.735(4).

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 of not less than \$150.24 due for February 15, 1992 and thereafter; 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: \$11,610.00 plus interest and late charges thereon from February 15, 1992 at the rate of NINE and ONE-HALF per cent (9.5%) until paid and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed plus any and all property taxes.

— OVER —

NOTICE OF DEFAULT  
AND ELECTION TO SELL

Re: Trust Deed from

Grantor

TO

Trustee

SPACE RESERVED  
FOR  
RECORDER'S USE

After recording return to (Name, Address, Zip):

ASPEN TITLE &amp; ESCROW, INC.

ATTN: FORECLOSURE DEPARTMENT

STATE OF OREGON,

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/instrument/microfilm/reception No. \_\_\_\_\_, Record of Mortgages of said County.

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 June 12, 1995, at the following place: Front Entry to Aspen Title & Escrow located 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

## NATURE OF RIGHT, LIEN OR INTEREST

Annie T. Lee  
109 Pilot Court  
Sinajana, Guam 99 96926

Grantor

Oregon Shores Recreational  
2019 Meadowview Drive  
Chiloquin, Oregon 97624

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.

DATED January 12, 1995.

Andrew A. Patterson  
Trustee Notary Public (state which)

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on January 12, 1995.

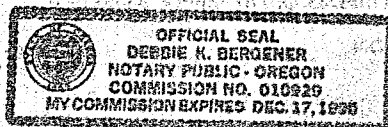
by Andrew A. Patterson

This instrument was acknowledged before me on January 12, 1995.

by ANDREW A. PATTERSON

as ASSISTANT SECRETARY

of ASPEN TITLE & ESCROW, INC



Debbie K. Bergener  
Notary Public for Oregon  
My commission expires 12-17-95

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co the 13th day of Jan, A.D., 19 95 at 11:08 o'clock A.M. and duly recorded in Vol. M95 of Mortgages on Page 949

FEE \$15.00

Bernetha G. Letsch County Clerk

By Debbie K. Bergener