

APPOINTMENT OF SUCCESSOR TRUSTEE
09-26-95P01:48 RCVD

KNOW ALL MEN BY THESE PRESENTS, that A. GARY MILLER, is the grantor, and Mountain Title Company of Klamath County, is the trustee, and JAMES H. FENNER and LINDA L. FENNER, Or the Survivor thereof are the beneficiary under that certain trust deed dated April 20, 1994, and recorded on April 28, 1994, in book/reel/volume No. M94 at page 12749 of the Mortgage Records of Klamath County, Oregon.

The undersigned, who is the present beneficiary under said trust deed desires to appoint a new trustee in the place and stead of the original trustee named above;

NOW THEREFORE, in view of the premises, the undersigned hereby appoints SCOTT D. MACARTHUR, whose address is under said trust deed, he to have all the powers of said original trustee, effective forthwith.

In construing this instrument and whenever the context hereof so required, the masculine gender includes the feminine and the neuter and the singular number includes the plural.

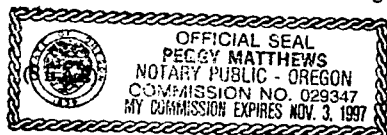
IN WITNESS WHEREOF, the undersigned beneficiary has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED 9/22 1995.

James H. Fenner
James H. Fenner

Linda L. Fenner
Linda L. Fenner

The foregoing instrument was acknowledged before me this 22 day of September, 1995, by James H. Fenner and Linda L. Fenner.



Before me, Peggy Matthews
Notary Public for Oregon
My Commission Expires: 11/3/97

APPOINTMENT OF
SUCCESSOR TRUSTEE
RE: Trust Deed from
A. Gary Miller

Grantor

SCOTT D. MACARTHUR
SPENCER Et Al
419 Main Street
Klamath Falls, OR 97601

Trustee

After recording return to:

SPENCER Et Al
419 Main Street
Klamath Falls, OR 97601

STATE OF OREGON, County of _____ 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. _____, Recorded of Deeds of said County.

Witness my hand and seal of County affixed.

Name _____ Title _____
By _____ Deputy

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from A. Gary Miller, Grantor
TO James H. Fenner and Linda L. Fenner, Beneficiary

AFTER RECORDING RETURN TO:
Spencer, Runnels, MacArthur & Porras
419 Main Street
Klamath Falls, OR 97601

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by A. GARY MILLER, as grantor, to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, as trustee, in favor of JAMES H. FENNER and LINDA L. FENNER or the survivor thereof, as beneficiary, dated April 20, 1994, recorded April 20, 1994, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M94 at page 12749, covering the following described real property situated in said county and state, to-wit:

LOT 6, BLOCK 2, TRACT NO. 1201, WILLIAMSON RIVER PINES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, together with a 1/40th interest in LOT 4, BLOCK 2 of said TRACT 1201, WILLIAMSON RIVER PINES.

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:

Taxes for the fiscal year 1994-1995, delinquent in the sum of \$292.56, plus interest.
Payments in the amount of \$304 per month from December 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: \$24,851.22 as of September 21, 1995, 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 case 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 February 12, 1996, at the following place: 419 Main 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

NATURE OF RIGHT, LIEN OR INTEREST

A. Gary Miller
P.O. Box 5104
Incline Village, NV 89450

Default upon Trust Deed

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: September 25, 1995.

Scott D. MacArthur

Scott D. MacArthur
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 25th day of September, 1995, by Scott D. MacArthur.

(S E A L)



Before me: Camille Krieger
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 26th day Of Sept, 1995, at 1:48'clock P M., and recorded in book/reel/ volume No. M95 on page 26023 or as fee/file/instrument/microfilm/reception No. 6694, Recorded of Deeds of said County.
Mortgages

Witness my hand and seal of County affixed.

Bernetha G. Letsch Co Clerk
Name Title
By Shirley Friday Deputy

Fees: \$25.00