

K-48362

Record and Return to:  
 STANDARD TRUSTEE SERVICE COMPANY WASHINGTON  
 2600 STANWELL DRIVE, SUITE 200  
 CONCORD, CA 94520  
 (800) 995-2670

T.S. No: O25TW041695  
 Loan No: 404689/MCCARTY

## NOTICE OF DEFAULT AND ELECTION TO SELL

The Trustee, under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in said Trust Deed to satisfy the obligations secured thereby.

A. PARTIES IN THE DEED OF TRUST:

DEBTOR(S): JIM MC CARTY AND WENDY MC CARTY  
 TRUSTEE: ASPEN TITLE  
 BENEFICIARY: TRANSAMERICA FINANCIAL SERVICES

B. DESCRIPTION OF THE PROPERTY:

LOT 1, IN BLOCK 34, OF FIFTH ADDITION TO KLAMATH RIVER ACRES, IN THE COUNTY OF KLAMATH, STATE OF OREGON CODE 21, MAP 4008-6BB, TAX LOT 1700.

Property commonly known as: VACANT LOT LOT 1 BLOCK 34 KLAMATH RIVER ACRES FIFTH ADDITION. . KENO, OR

C. TRUST DEED INFORMATION:

DATED DATE: MAY 21, 1993  
 RECORDING DATE: MAY 26, 1993  
 RECORDING NUMBER: 62024 VOL: M93 PAGE: 11904  
 RECORDING PLACE: Official records of the County of KLAMATH, State of OR

D. DEFAULT: The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:

1. Monthly Payments:

Monthly installments and late charges from JANUARY 30, 1994 and all subsequent installments and late charges at variable payments,

TOTAL PAYMENTS AND LATE CHARGES	\$8,460.00
---------------------------------	------------

2. Other Arrearage:

TOTAL AMOUNT DUE:	\$8,460.00
-------------------	------------

The Beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being:

Principal Balance: \$12,584.53

In addition to said principal, interest as provided in the Note or other instrument secured, shall be payable from 11-30-1993, as well as all Trustee's fees and costs, Attorney's fees and costs, and all foreclosure costs.

T.S. No: O25TWO41695  
Loan No: 404689/MCCARTY

F. **ELECTION TO SELL:** NOTICE IS HEREBY 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 et. seq., and to cause to be sold at public action to the highest bidder, for cash or certified funds, the interest in the said described property which the Debtor(s) had, or had the power to convey, at the time of the execution of the Trust Deed together with any interest the Debtor or successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed together with the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of the Trustee's Attorney.

G. **TIME AND PLACE OF SALE:**  
TIME: 10:00 A.M., FRIDAY FEBRUARY 16, 1996  
PLACE: KLAMATH COUNTY COURTHOUSE  
316 MAIN STREET, KLAMATH FALLS, OR 97601

H. **RIGHT TO REINSTATE:** NOTICE IS FURTHER GIVEN that at any time prior to five days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee 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 to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed, together with Trustee's fees and Attorney's fees.

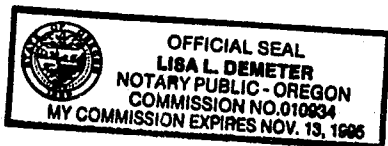
Dated: 8/28/95

Victoria Hatch, Esq.  
1 SW Columbia Avenue, Ste. 1220  
Portland, OR 97258  
(503) 224-1170

By: [Signature]  
Victoria Hatch, Esq.

State of OREGON )  
County of MULTNOMAH ) ss

On this 28 day of August in the year 1995 before me personally appeared Victoria Hatch, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes herein mentioned.



Lisa L. Demeter  
Notary Public in and for the State of Oregon; Residing at Portland Oregon  
My Commission Expires 11/3/95

(OREGON.NOD)

(page 2)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Company the 28th day of September A.D., 19 95 at 11:14 o'clock A M., and duly recorded in Vol. M95 of Mortgages on Page 26284

FEE \$15.00

Bernetha G. Lensch, County Clerk  
[Signature]