

TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND OF SALE

Reference is made to that Trust Deed wherein Maarten W. Fontyn and Cherry L. Fontyn, husband and wife, is Grantor; Aspen Title & Escrow, Inc., is Trustee; and Rodney Gruell and Alan Conley, each as to an undivided 1/2 interest, is Beneficiary, recorded in Official/Microfilm Records, Vol. M92, Page 24957, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon:

Lot 41, LEWIS TRACTS, in the County of Klamath, State of Oregon.

No action is pending to recover any part of the debt secured by the trust deed.

The obligation secured by the trust deed is in default because the grantor has failed to pay the following:
Failure to make the full payments due on April 21, 1994 in the amount of \$300.00 and a like payment on the 21st day of each month thereafter.

The sum owing on the obligation secured by the trust deed is: full balance due and payable \$32,683.25 together with interest at the rate of 10% per annum from March 30, 1994.

plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.

Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on October 10, 1995, at 10:00 o'clock a.m. based on standard of time established by ORS 187.110 at 540 Main Street, Suite #301, Klamath Falls, Klamath County, Oregon.

Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.

Dated: June 7, 1995.

William L. Sisemore
William L. Sisemore, Successor Trustee

STATE OF OREGON, County of Klamath ss

The foregoing was acknowledged before me on June 7th, 1995 by William L. Sisemore.

Michelle M. Pridemore Notary Public for Oregon — My Commission Expires: 12-23, 1998

Certified to be a true copy:



Attorney for Trustee

STATE OF OREGON, County of Klamath ss

Filed for record on June 7th, 1995 at 11:40 o'clock A.m. and recorded in M95 page 15082 of mortgages.

Bernetha G. Letsch, County Clerk by Syneth Heilg, Deputy

After recording return to:

WILLIAM L. SISEMORE
Attorney at Law
540 Main Street
Klamath Falls, OR 97601



INDEXED
D. 11

This communication is an attempt to collect a debt, any information obtained will be used for that purpose.

10-10-95A10:41 RCVD

JEFFERSON STATE ADJUSTERS
PROOF OF SERVICE

STATE OF OREGON
COUNTY OF KLAMATH

I hereby certify that I made service of the forgoing NOTICE OF DEFAULT, ELECTION TO SELL, NOTICE upon the within named respondent, by delivering or leaving a true copy of the said SEE ABOVE as follows:

PERSONAL SERVICE

On JUNE 9th, 1995 at 8:20 o'clock, A M., I delivered an original or true copy of the SEE ABOVE to CHERRY L. FONTYN in person, at 1536 IVORY ST., KLAMATH FALLS, OR.

SUBSTITUTE SERVICE*

On JUNE 9th, 1995 at 8:20 o'clock, A M., I served SEE ABOVE on Defendant MAARTEN W. FONTYN by delivering an original or true copy to CHERRY L. FONTYN a person over the age of 14 years residing in said party's house or usual place of abode at 1536 IVORY ST., KLAMATH FALLS, OR.

OFFICE SERVICE*

On _____, 19__ at __ o'clock., ____ M., I left an original or true copy of the _____ with _____ the person apparently in charge of the business office maintained by _____ at _____.

NON FOUND

I certify that I received the within document for service on _____, and after due and diligent search and inquiry I have been unable to locate the within named _____ in Klamath County.

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or State of Oregon, and that I am not a party to nor an employee of, nor attorney for any party; that the person served by me is the identical person named in the cause.

Joan E. Hansen
Signature

Court Case Number

June 9th, 1995
Date

*Where substituted or office service is used, the petitioner as soon as reasonably possible, shall cause to be mailed a true copy of the _____ to the respondent at the respondent's dwelling house or usual place of abode, together with a statement of the time and date at which such service was made.

NOTICE OF SUBSTITUTE SERVICE

TO: Maarten W. Fontyn

You are hereby notified that you have been served with:

X Trustee's Notice of Default and Election to Sell and of Sale of that trust deed wherein Maarten W. Fontyn and Cherry L. Fontyn, husband and wife is grantor, to Aspen Title & Escrow, Inc., Trustee, and Rodney Gruell and Alan Conley, each as to an undivided 1/2 interest is beneficiary, recorded in the Mortgage Records of Klamath County, Oregon, Vol. M95, page or document no. 15082, certified copy of which is attached hereto.

By substitute service on Cherry L. Fontyn, a person over the age of 14 years of age who resides at your place of abode on June 9th, 1995, at 8:52 o'clock a.m. at 1536 Ivory Street, Klamath Falls, Oregon 97603.

William L. Sisemore
Attorney for Trustee

STATE OF OREGON)
) SS
County of Klamath)

I, William L. Sisemore, certify that I am attorney for Trustee; I served a copy of the Trustee's Notice of Default and Election to Sell and of Sale, together with the above notice of substitute service in a sealed envelope, plainly addressed to : Maarten W. Fontyn, 1536 Ivory Street, Klamath Falls, Oregon 97603 with postage fully prepaid, and deposited the same in the U. S. Mail at Klamath Falls, Oregon, on June 14th, 1995.

William L. Sisemore
William L. Sisemore,
Attorney for Trustee

Subscribed and Sworn to before me this 14 day of June, 1995.

Michelle M. Pridemore
Notary Public for Oregon
My Commission Expires: 12-23-98

WILLIAM L. SISEMORE
Attorney at Law
540 Main Street
KLAMATH FALLS, ORE.
97601

503/882-7229
O.S.B. #70133



Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Sarah Parsons, Office Manager,
being first duly sworn, depose and say
that I am the principal clerk of the
publisher of the Herald and News
a newspaper of general circulation, as
defined by Chapter 193 ORS, printed and
published at Klamath Falls in the
aforesaid county and state; that the _____

LEGAL # 7495

TRUSTEE'S NOTICE OF DEFAULT

a printed copy of which is hereto
annexed, was published in the entire
issue of said newspaper for FOUR

(4 insertions) in the following issues:

JUNE 19, 26, 1995

JULY 3, 10, 1995

Total Cost: \$278.08

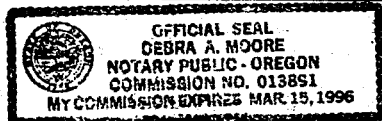
Sarah L. Parsons

Subscribed and sworn to before me this 10th
day of JULY 19 95

Debra A. Moore

Notary Public of Oregon

My commission expires 3-15-96



TRUSTEE'S NOTICE OF DEFAULT AND INTENTION TO SELL PROPERTY

Reference is made to that certain deed wherein MAARIE W. FONTYN and CHERRY L. FONTYN, husband and wife, is grantor, ASPEN LITELAND CROW, INC. is trustee, and RODNEY GRUELL and ALAN CONLEY, each as to an undivided 1/2 interest, is Beneficiary, recorded in the Official/Microlfilm Records Vol. M92, Page 24957, Klamath County, Oregon covering the following-described real property in Klamath County, Oregon:

Lot 41, LEWIS TRACTS, in the County of Klamath, State of Oregon.

No action is pending to recover any part of the debt secured by the trust deed.

The obligation secured by the trust deed is in default because the grantor has failed to pay the following: Failure to make the full payments due on April 21, 1994 in the amount of \$300.00 and a like payment on the 21st day of each month thereafter. The sum owing on the obligation secured by the trust deed is full balance due and payable \$2,483.25 together with interest at the rate

of 10% per annum from March 30, 1994, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed. Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on October 10, 1995, at 10:00 o'clock A.M. based on standard of time established by ORS 187.110, at 540 Main Street, Suite #301, Klamath Falls, Klamath County, Oregon.

Interested persons are notified of the right under ORS 96.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.

DATED: June 7, 1995
William L. Sisemore,
Successor Trustee
Witness: June 19, 26, 1995
July 3, 10, 1995

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON)
) SS
 County of Klamath)

I, William L. Sisemore, being first duly sworn, depose and say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME AND ADDRESS

Credit Bureau of Klamath County
 839 Main Street
 Klamath Falls, Oregon 97601

State of Oregon
 Department of Human Resources
 P.O. Box 14506
 Salem, Oregon 97309

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by William L. Sisemore, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon full prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on June 7th, 1995. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a property form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

William L. Sisemore
 William L. Sisemore

Subscribed and sworn to before me on June 7th, 1995.



Michelle M. Pridemore
 Notary Public for Oregon
 My Commission Expires: 12-23-98

STATE OF OREGON)
) SS
 County of Klamath)

I certify that the within instrument was received for record on the 10th day of October, 1995, at 11:40 o'clock A M, and recorded in book/real/volume No. M95 on page 27244 or as fee/file/instrument/microfilm/reception No. 7337. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

After recording, return to:

Bernetha G. Letsch Co Clerk
 BY Annette Mueller
 Deputy

Fees: \$30.00