

NL 10057 12-04-95P03:34 RCVD Vol. M95 Page 33113

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Glen Rode, as grantor, to _____, as trustee,

Aspen Title & Escrow, Inc., as beneficiary,
in favor of Daworth Group, Inc., an Oregon corporation **
dated February 2, 1995, recorded February 3, 1995, in the mortgage records of
Klamath County, Oregon, in book/reel/volume No. M95 at page 2517, or as
tee/file/instrument/microfilm/reception No. 94419 (indicate which), covering the following described real
property situated in the above-mentioned county and state, to-wit:

See legal description set forth on Exhibit A attached hereto and incorporated by this reference herein as
if fully set forth

*By Appointment of Successor Trustee dated November 15, 1995, Neal G. Buchanan, Attorney at Law, was appointed
successor trustee.

**By Assignment of Trust Deed and note dated October 26, 1995 and recorded at Vol. M95 page 29586 the interest
of the beneficiary of the Trust Deed and promisee of the note was assigned to Ray West.

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 86.735(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: the entire unpaid balance of the note in the sum of \$60,400.00 together with interest thereon at the
rate of 8% per annum from February 2, 1995, all of which was due and payable on or before May 2, 1995;
failure to pay real property taxes before the same became past due or delinquent

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:
1) unpaid balance of Trust Deed and note in the sum of \$60,400.00 together with interest on said sum at the rate
of 8% per annum from February 2, 1995 until paid; 2) real property taxes owing to the County of Klamath, as
reflected by the records of the Klamath County tax collector

— OVER —

NOTICE OF DEFAULT AND ELECTION TO SELL

Re: Trust Deed from
Glen Rode

Grantor
Aspen Title & Escrow, Inc.

To
Neal G. Buchanan, as successor

Trustee

After recording return to (Name, Address, Zip):
Neal G. Buchanan
601 Main Street, Suite 215
Klamath Falls, OR 97601

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 tee/file/instru-
ment/microfilm/reception No. _____,
Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

NAME _____ TITLE _____
By _____, Deputy

ck
97.00
1.50

33114

NOTICE OF SALE

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 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on April 23, 1996, at the following place: front steps Klamath County Courthouse Annex (Klamath County Assessor's Office) 305 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

Glen Rode
1051 N. Stapley
Mesa, AZ 85203

NATURE OF RIGHT, LIEN OR INTEREST

grantor, fee owner, and party in possession

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.

Successor Trustee

DATED December 4, 1995

Trustee

Beneficiary

(state which)

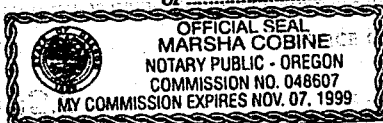
STATE OF OREGON, County of KlamathThis instrument was acknowledged before me on December 4, 1995, by Neal G. Buchanan

This instrument was acknowledged before me on _____, 19____,

by _____

as _____

of _____



Marsha Cobine
Notary Public for Oregon
My commission expires 11-7-99

EXHIBIT "A"

Lots 11 thru 18, and Lots 20, 22 and 25 Block 1; Lots 12 thru 15 and Lots 18, 20 and 21 and Lots 25 thru 29 and Lots 33, 36 and 37, Lot 41 and Lots 43 thru 47 inclusive, Block 2; Lot 1, Block 3, EXCEPT the portion thereof bounded by a fenced enclosure of Grantor's Well Site and water system appurtenances and EXCEPTING THEREFROM that portion conveyed to Bly Water District, an Oregon Municipal Corporation by Warranty Deed recorded June 25, 1980 in Book M-80 at Page 11692; and Lots 7 thru 11, Block 4, BLEY-WAS HEIGHTS, in the County of Klamath, State of Oregon.

Lots 1 thru 8, Lots 30 and 31 Block 1; Lots 1 thru 4 and Lot 8 Block 2; Lot 1, Lots 6 and 7, Lots 10 and 13 and Lots 20 thru 22 inclusive, Block 5; Lots 2 thru 7 and Lot 9, Block 6; and Lot 1 Block 7, FIRST ADDITION TO BLEY-WAS HEIGHTS, in the County of Klamath, State of Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal G. Buchanan the 4th day of Dec. A.D., 1995 at 3:34 o'clock P M., and duly recorded in Vol. M95, of Mortgages on Page 33113.

FEE \$20.00
cc 1.50

Bernetha G. Letsch, County Clerk
By *Bernetha G. Letsch*