

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by CARL B. THORNTON as Grantor, to KLAMATH COUNTY TITLE COMPANY, as Trustee, in favor of ROGER E. GRANT, as Beneficiary, dated August 18, 1994, recorded September 23, 1994, in the Mortgage Records of Klamath County, Oregon in Vol.M94, page 30079, covering the following described real property situated in said county and state, to-wit:

See Attached Exhibit "A."

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default of which the foreclosure is made is grantor's failure to pay when due the following sums:

Payments in the amount of \$126.88 due on August 14, 1995, and each and every month thereafter; plus real estate taxes for 1994-95 \$154.79, plus interest; 1995-96 \$115.56 plus interest; Account No. 3407-28A-600 Key NO. 195899.


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:

\$6,197.64 plus interest at the rate of \$1.53 per day from July 24, 1995; plus real estate taxes for 1994-95 \$154.79 plus interest; 1995-96 \$115.56 plus interest; Account No. 3407-28A-600 Key No. 195899.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 26, 1996, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Klamath County Courthouse Annex, 305 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 to 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 of 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 ORS 86.753.

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 which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: 2/7/96

  
Trustee

## EXHIBIT "A"

## DESCRIPTION OF PROPERTY

The S½ of the NE¼ of the NW¼ of the NE¼ of Section 28, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH an easement 30 feet in width and being 15 feet on each side of the following described center line:

Beginning at the intersection of said center line and the West right of way line of U.S. Highway 97, said center line being 15 feet North of the Southerly line of the N½S½NE½NE½; thence from point of beginning West to a point 15 feet East of the Westerly line of the N½S½NE½NE½; thence North 660 feet to a point that is 15 feet North of the Southerly line of the N½N½NE½NE½; thence West 690 feet; thence South 15 feet to the Northerly line of the S½NW½NW½NE½, Section 28, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Richard Fairclo the 7th day  
of Feb A.D., 19 96 at 3:46 o'clock P M., and duly recorded in Vol. M96  
of Mortgages on Page 3663

FEE \$15.00

By Bernetha G. Leisch County Clerk  
*Bernetha G. Leisch*