

96 MAR 14 P2:37

AFTER RECORDING RETURN TO:

De L. Dishman
Stoel Rives LLP
900 SW Fifth Avenue, Suite 2300
Portland, OR 97204-1268

MTC 37489

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Richard Barnett, as grantor, to Mountain Title Company of Klamath County, as trustee, in favor of Conklin-Fenstermaker, Inc. a California corporation, as beneficiary, dated June 27, 1995 and recorded August 2, 1995 in the mortgage records of Klamath County, Oregon Volume M95 at Page 20437, covering the following described real property situated in said county and state, to wit:

The NW1/4 of the SW1/4; the W1/2 of the NW1/4 of Section 26 and the NE1/4 of the NE1/4 of the Section 27, all situate in Township 38 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

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 said 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 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 the grantor's failure to pay when due the following sums: As of January 29, 1996, the sum is \$880, plus any late charges. Property taxes for 1995 - 1996 are now due and owing.

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: As of January 29, 1996 the sum is \$34,456, plus any sum advanced by the beneficiary or the beneficiary's successor in interest for the protection of the above-described real property; plus any attorneys' and trustee's fees incurred by reason of said default. Interest on the principal balance continues to accrue at the note rate of 9 percent per annum until the loan is paid in full.

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 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 said described property which the grantor had, or had the power to convey, at the time of the execution by the grantor of the trust deed, together with any interest the grantor or the grantor's 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 attorneys.

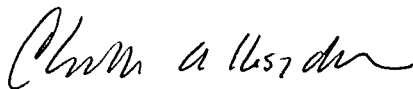
Said sale will be held at the hour of 2:00 p.m., in accord with the standard of time established by ORS 187.110, on July 23, 1996 at the following place: Front entrance to the Klamath Falls County Courthouse, in the city of Klamath Falls, Oregon, county of Klamath County, state of Oregon, which is the hour, date, and place last set for said sale.

Other than as shown of record, neither the said beneficiary nor 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.

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 the 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 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 attorneys' fees, not exceeding the amounts provided by said ORS 86.753.

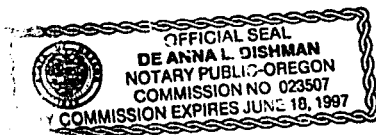
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

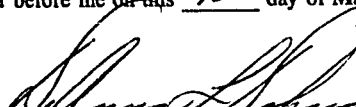
DATED: March 12th, 1996.


Christine A. Kosydar
Successor Trustee

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on this 12th day of March, 1996 by
Christine A. Kosydar.




Notary Public for Oregon

NOTICE OF DEFAULT AND ELECTION TO SELL
Re: Trust Deed from

Richard Barnett, Grantor

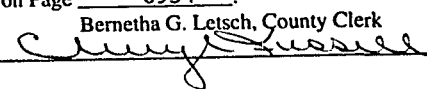
to

Christine A. Kosydar, Successor Trustee

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Mountain Title Co the 14th day
of March A.D., 19 96 at 2:37 o'clock P M., and duly recorded in Vol. M96
of Mortgages on Page 6934.

FEE \$15.00

By 
Bernetha G. Letsch, County Clerk