

09-MM-7186 (0005) ANOD1

96 APR -3 P3:35

## WHEN RECORDED RETURN TO:

REGIONAL TRUSTEE SERVICES CORPORATION  
 2730 WASHINGTON MUTUAL TOWER  
 1201 THIRD AVENUE  
 SEATTLE WA 98101

ATC # 04044549

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by: FRANCISCO PENA AND LUZ PENA, HUSBAND AND WIFE, as grantor, to ASPEN TITLE & ESCROW, INC., as trustee, in favor of CONRAD F. RAUM AND MARCIA L. RAUM, HUSBAND AND WIFE WITH FULL RIGHTS OF SURVIVORSHIP, as beneficiary, dated January 21, 1991 recorded January 24, 1991, in the mortgage records of KLAMATH County, Oregon, in Instrument No. 25137, Book M91, Page 1503. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by METROPOLITAN MORTGAGE & SECURITIES CO., INC. A CORPORATION D/B/A METROPOLITAN FINANCIAL SERVICES, INC.. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

LOT 16, IN BLOCK 210, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, IN THE COUNTY OF KLAMATH, STATE OF 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 situate; 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 grantor's failure to pay when due the following sums:

Total Principal Balance Due	\$	8,255.39
Interest to 03-29-96	\$	176.11
Default Interest @ 0%	\$	
Late Charges	\$	
Accumulated late charges	\$	
Beneficiary Advances (with interest if applicable)	\$	867.53

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 9,299.03

TOTAL:

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:

UNPAID PRINCIPAL BALANCE OF \$8,255.39, AS OF 12-24-95, PLUS, FROM THAT DATE UNTIL PAID, ACCRUED AND ACCRUING INTEREST AT THE RATE OF 8.000% PER ANNUM, PLUS ANY LATE CHARGES, ESCROW ADVANCES, FORECLOSURE COSTS, TRUSTEE FEES, ATTORNEY FEES, SUMS REQUIRED FOR PROTECTION OF THE PROPERTY AND ADDITIONAL SUMS SECURED BY THE DEED OF TRUST.

Notice hereby is 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 him of the trust deed, together with any interest the grantor or his 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 compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 10:00 A.M. in accord with the standard of time established by ORS 187.110 on August 20, 1996, at the following place: FRONT ENTRANCE TO ASPEN TITLE & ESCROW, INC., 525 MAIN STREET, KLAMATH FALLS, County of KLAMATH, 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, except:

NAME AND LAST KNOWN ADDRESS	NATURE OF RIGHT, LIEN OR INTEREST
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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 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 attorney's fees not exceeding the amounts provided by said ORS 86.753.

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

DATED: March 29, 1996

REGIONAL TRUSTEE SERVICES CORPORATION  
Successor Trustee

BY *Aleta Lavandier*  
ALETA LAVANDIER  
PRESIDENT

Address: 2730 WASHINGTON MUTUAL TOWER  
1201 THIRD AVENUE  
SEATTLE WA 98101  
Telephone: 206 340-2550

STATE OF Washington )

) ss.

COUNTY OF KING )

The foregoing instrument was acknowledged before me March 29, 1996, by ALETA LAVANDIER, PRESIDENT of REGIONAL TRUSTEE SERVICES CORPORATION, A Washington Corporation, on behalf of the corporation.

REBECCA L. PHILLIPS  
STATE OF WASHINGTON  
NOTARY --- PUBLIC  
MY COMMISSION EXPIRES 2-15-98

*Rebecca L. Phillips*  
Notary Public for Washington

My commission expires: 2-15-98

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 3rd day  
of April A.D., 1996 at 3:35 o'clock PM., and duly recorded in Vol. M96  
of Mortgages on Page 9409

FEE \$20.00

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