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ATC # 04044793

NOTICE OF DEFAULT AND ELECTION TO SELL

NOTICE is hereby given that the obligation secured by the trust deed described below is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: Donald Simmons and Carrie Simmons
Trustee: Aspen Title & Escrow, Inc.
Successor Trustee: Bruce Kellington
Beneficiary: Donna Clugston Smith

2. Property covered by trust deed:

Lot 11, Block 301, DARROW ADDITION TO THE CITY OF KLAMATH FALLS in the County of Klamath, State of Oregon.

3. Trust deed was recorded on September 16, 1994, in Book M-94, Page 29358 as Fee No. 88328, Official Records, Klamath County, Oregon.

4. Default for which foreclosure is made is the failure to pay the following: Monthly installment payment of \$341.45 beginning with the installment due March 15, 1996, and monthly installments in the same amount due the 15th day of each month thereafter, until paid and for failure to pay real property taxes assessed against the property for tax years 1995-96 in the sum of \$859.70.


5. The sum owing on the obligation secured by the trust deed is: \$33,712.34, plus interest at the rate of 8% per annum from November 29, 1995, until paid, plus trustee's fees, attorney fees, foreclosure costs, and any sum advanced by the beneficiary pursuant to the terms of said trust deed.

6. The beneficiary has and does elect to sell the property to satisfy the obligation.

7. The property will be sold in the manner prescribed by law on November 14, 1996, at 10:30 o'clock a.m., based on the standard of time as established by ORS 187.110, on the front steps of the Klamath County Courthouse Annex, 305 Main Street, in the City of Klamath Falls, County of Klamath, Oregon.

8. 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 this 10 day of June, 1996.

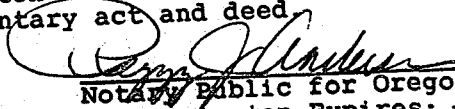

Bruce Kellington, Trustee

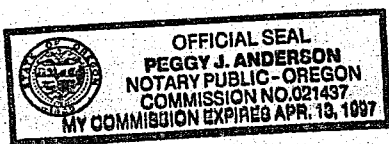
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STATE OF OREGON)
 ss.
County of Jackson)

On this 10 day of June, 1996, personally appeared the
above named Bruce Kellington and acknowledged the foregoing
instrument to be his voluntary act and deed
Before me:



Notary Public for Oregon
My Commission Expires: 4-13-97



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 12th day
of June A.D., 19 96 at 3:56 o'clock P M., and duly recorded in Vol. M96
of Mortgages on Page 17446

FEE \$15.00

By 
Bernetha G. Letsch, County Clerk