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22295

Vol. m96 Page 23009

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Michael Lee Grable and Colleen M. Grable, husband and wife, Grantor, to Bend Title Company as Trustee, in favor of Harold Elliot as beneficiary, dated November 1, 1994, recorded November 18, 1994 in the mortgage records of Klamath County, Oregon in Volume M94 page 35507, covering the following described real property situated in the above-mentioned County and State, to wit:

Lot 17 in Block 3, Plat No. 1204, Little River Ranch, according to the official plat thereof on file in the office of the Count Clerk of 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; 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 provisions; the default for which foreclosure is made is grantor's failure to pay when due the following sums: the May, 1996, payment of \$146.89; the June, 1996, payment of \$146.89; and the July, 1996 payment of \$146.89.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the thrust deed immediately due and payable, those sums being the following, to wit: 16,181.24

Notice is hereby 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 obligation 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 9:00 a.m. in accord with the standard of time established by ORS 187.110 on January 3, 1997, at the following place: Oregon State Police Office, Gilchrist, 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.

(over)

NOTICE OF DEFAULT AND ELECTION TO SELL

After recording return to:  
Dennis Fennell  
Attorney at Law  
1195 NW Wall Street  
Bend, OR 97701

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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 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.

Dated: 7/22/96

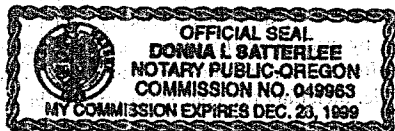
STATE OF OREGON )

) ss.

County of Deschutes )

Harold Elliot  
Harold Elliot, Beneficiary

On July 22, 1996 personally appeared the above named Harold Elliot and acknowledged the foregoing instrument to be his/her voluntary act. Before me:



Donna Satterlee  
Notary Public for Oregon  
My Commission Expires: 12/23/99

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 30th day  
of July A.D., 19 96 at 1:16 o'clock p M., and duly recorded in Vol. M96  
of Mortgages on Page 23009

Bernetha G. Letsch County Clerk

FEE \$15.00

By Cheryl Russell