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41097

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NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Jeffrey C. Mahan

Aspen Title & Escrow, Inc., as grantor, to

Highland Community Federal Credit Union, as trustee,

in favor of Highland Community Federal Credit Union, as beneficiary,

dated May 26, 1994, recorded May 26, 1994, in the mortgage records of

Klamath County, Oregon, in book/661/volume No. M94 at page 16826, or as

fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real

property situated in the above-mentioned county and state, to-wit:

Lot 3, Block 4, Tract 1046, ROUND LAKE ESTATES. in the County of
Klamath, state of Oregon.

Code 21 Map 3908-7DA TL 4400

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 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 provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

\$ 179.31 Late charges	
1,400.71 Accrued unpaid interest	
1,103.73 Unpaid installments	Total due: \$2,683.77

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

\$61,511.79 Principal at 9.50% from July 1, 1997	
1,400.71 Accrued unpaid interest	
179.31 Late fees	Total being: \$63,091.81

— OVER —

**NOTICE OF DEFAULT
AND ELECTION TO SELL**

Re: Trust Deed from

Jeffrey C. Mahan

Grantor

to

Aspen Title & Escrow, Inc.

Trustee

After retarding return to (Name, Address, Zip):

Robert J. Foltyn

514 Walnut Avenue

Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDING USE

STATE OF OREGON,
County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy

15-26

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Notice hereby is 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 obligations 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 the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on December 22, 1997, at the following place: 514 Walnut Avenue in the City of Klamath Falls, County of Klamath, State of 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, except: NONE

NAME AND LAST KNOWN ADDRESS

NATURE OF RIGHT, LIEN OR INTEREST

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 this trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED

July 7, 1997

ROBERT J. FOLTYN

Attorney for Beneficiary

Trustee

Beneficiary

(state which)

STATE OF OREGON, County of Klamath

This instrument was acknowledged before me on July 7, 1997,

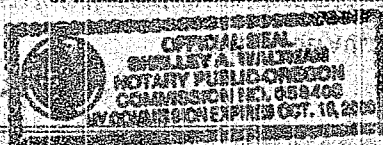
by Robert J. FoltyN

This instrument was acknowledged before me on _____, 19____,

by _____

as _____

of _____



Shelley A. Watten
Notary Public for Oregon
My commission expires 10-18-2000

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Robert J. FoltyN the 15th day of July A.D. 19 97 at 3:45 o'clock P. M., and duly recorded in Vol. M97 of Mortgages on Page 22307

Bernetha G. Leitch, County Clerk

FEE \$15.00

By

Kathleen Rose