

ON

43768

TRUSTEE'S NOTICE OF SALE

Vol. m97 Page 27119



Reference is made to that certain trust deed made by LYLE STAHNKE and JULIE STAHNKE, husband and wife, as grantor, to Western Title & Escrow, assigned to Jim N. Slothower, as trustee, in favor of HOME ADVANTAGE SERVICES, LLC, as beneficiary, dated October 12, 1995, recorded November 17, 1995, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M95 at page 31504, or as fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real property situated in said county and state, to-wit:

Lots 64 and 65 in Block 1, TRACT 1098- SPLIT RAIL RANCHOS, according to the official plat thereof on file in the office the County Clerk of Klamath County, Oregon

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

monthly payments of \$280.00 from 5/17/96 and the 1996-97 real property taxes

**its interest therein.

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: \$29,259.81, plus interest at the rate of 9.5% per annum from 4/30/96 until paid, plus accrued late charges, title expenses, costs, trustee's and attorney's fees incurred herein by reason of said default, and any further sums advanced by the beneficiary for the protection of the above described real property and **

WHEREFORE, notice hereby is given that the undersigned trustee will on June 5, 1997, at the hour of 10:15 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Front steps of Klamath County Courthouse Annex, 305 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public

auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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.

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 January 10, 1997

Jim N. Slothower
Jim N. Slothower

Successor Trustee

State of Oregon, County of Deschutes ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of J. Slothower the 18th day of Aug A.D. 1997 at 3:18 o'clock P.M., and duly recorded in Vol. M97 of Mortgages on Page 27119

FEE \$10.00

Return: J. Slothower
PO Box 351
Bend, OR 97709

By Bernetha G. Leisch, County Clerk
Kathleen Rose