

46897

Vol 197 Page 33703

97 OCT 13 P3:43

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO

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

TRUSTEE'S SALE NO: 09-AD-11094
LOAN NO: MONTEITH
PHA/VA/FMI NO:

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF DEFAULT AND ELECTION TO SELL

Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.

Reference is made to that certain trust deed made by: LAWRENCE R. MONTEITH, as grantor, to AMERITITLE, as trustee, in favor of FRED A. WALLACE AND PATRICIA A. WALLACE, OR THE SURVIVOR THEREOF, as beneficiary, dated September 19, 1996 recorded October 4, 1996, in the mortgage records of Klamath County, Oregon, in Book M96, Page 31594, covering the following described real property situated in said county and state, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The undersigned trustee, REGIONAL TRUSTEE SERVICES CORPORATION, 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:

Payments:				
6	payments at \$	1,075.00	each;	\$ 6,450.00
0	payments at \$		each;	\$
(04-26-97	through 10-07-97)			

Late Charges:	\$	250.00
Accumulated late charges	\$	

Beneficiary Advances (with interest if applicable)	\$	
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TOTAL:	\$	6,700.00
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TOGETHER WITH ANY DEFAULT IN THE PAYMENT OF RECURRING OBLIGATIONS AS THEY BECOME DUE.

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 \$85,000.00, AS OF 03-26-97, PLUS, FROM THAT DATE UNTIL PAID, ACCRUED AND ACCRUING INTEREST AT THE RATE OF 15.000% 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 current trustee, REGIONAL TRUSTEE SERVICES CORPORATION, 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 February 26, 1998, 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.

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: October 7, 1997

REGIONAL TRUSTEE SERVICES CORPORATION
P/K/A INTERSTATE TRUSTEE SERVICES CORPORATION
Successor Trustee

BY

Bette-Jane Ruhl
BETTE-JANE RUHL, SECRETARY

STATE OF Washington

}
} ss.

COUNTY OF KING

The foregoing instrument was acknowledged before me October 7, 1997, by BETTE-JANE RUHL, SECRETARY of REGIONAL TRUSTEE SERVICES CORPORATION, A Washington Corporation, on behalf of the corporation.

MARILEE HAKKINEN
STATE OF WASHINGTON
NOTARY PUBLIC

COMMISSION EXPIRES 11-06-99

Marilee Hakkinen
Notary Public for Washington
My commission expires: 11-6-99

EXHIBIT A:

EXHIBIT FOR LEGAL DESCRIPTION

PARCEL 1: THE NORTHEASTERLY 59 FEET OF LOTS 22, 23, 24 AND 25; THE SOUTHWESTERLY 56 FEET OF LOT 22 AND THE SOUTHWESTERLY 56 FEET OF THE SOUTHEASTERLY 11 FEET OF LOT 23, ALL IN BLOCK 18, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. PARCEL 2: LOTS 29, 28, 27 AND 26; THE SOUTHWESTERLY 56 FEET OF LOTS 25 AND 24 AND THE SOUTHWESTERLY 56 FEET OF THE NORTHWESTERLY 14 FEET OF LOT 23, ALL IN BLOCK 18, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. Together with:

all and singular the tenements, hereditaments and appurtenances and all other rights thereunto belonging or in anywise now or hereafter appertaining, and the rents, issues and profits thereof and all fixtures now or hereafter attached to or used in connection with the property.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 13th day
of October A.D., 19 97 at 3:43 o'clock P. M. and duly recorded in Vol. M97
of Mortgages on Page 33703.

FEE \$20.00

By Bernetha G. Letsch, County Clerk
[Signature]