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Vol. 1792 Page 12858

NOTICE OF DEFAULT
AND ELECTION TO SELL

RE: Trust Deed from

Rodney and Kelly Miller

To Grantor

Aspen Title and Escrow Inc.

Trustee

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

Duane Wm. Schultz

245 NW "B" Street

Grants Pass, Or 97526

SPACE RESERVED
FOR
RECORDER'S USESTATE OF OREGON, } ss.
County of }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
____ and/or as fee/file/instru-
ment/microfilm/reception No. ____,
Records of said County.Witness my hand and seal of County
affixed.

NAME TITLE

By ____, Deputy.

Reference is made to that certain trust deed made by Rodney D. Miller and Kelly A. Miller

Aspen Title and Escrow Inc., as grantor, to
in favor of Forrest D. Jamison and Delores Jamison, as trustee,
dated August 29, 1997, recorded September 5, 1997, as beneficiary,
Klamath County, Oregon, in book/reel/volume No. ____ at page ____, in the Records of
fee/file/instrument/microfilm/reception No. 29185 (indicate which), covering the following described real property
situated in the above-mentioned county and state, to-wit:

See Exhibit "A" attached hereto.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appoint-
ments of a successor trustee have been made, except as recorded in the Records of the county or counties in which the above-
described real property is situated. Further, 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 grantor or other person owing an obligation, 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:

Monthly installment payments of \$450.00 each for ____, February 1998,
March 1998, and April 1998, plus accrued interest.

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:

\$46,000.00 plus accrued interest, plus late fees, plus attorney fees,
title fees, and other foreclosure costs as provided in the subject note
and trust deed.

(OVER)

12859



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 grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest 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 2 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on September 10, 1998, at the following place: Klamath County Courthouse
Front steps in the City of Klamath Falls, County of Klamath

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 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

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 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 April 14, 1998.

Duane Wm. Schultz Successor Trustee

☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Josephine) ss.

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

by _____

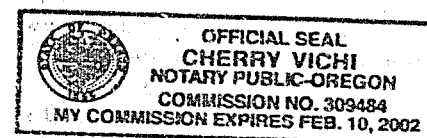
This instrument was acknowledged before me on April 14, 1998,

by Duane Wm. Schultz

as Successor Trustee

of Kelley/Jamison Trust Deed

Cherry Vichi
Notary Public for Oregon



12860

SCHEDULE A

Order No.: 46475

Policy No.: O-5201-48908

Date of Policy: September 05, 1997 at 2:50 P. Amount of Insurance: \$ 46,000.00

Premium: \$ 50.00

1. Name of Insured:

FORREST D. JAMISON and DELORES M. JAMISON

2. The estate or interest referred to herein is, at the date hereof, vested in

RODNEY D. MILLER and KELLY A. MILLER, as tenants by the entirety.

3. The land referred to in this policy is situated in the State of Oregon, County of Klamath and described as follows:

A portion of Lots 5 and 6, Block 63, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the Easterly line of 8th Street, 40 feet Southeasterly from the most Westerly corner of Lot 5, Block 63, of Nichols Addition to the City of Klamath Falls; thence 40 feet Southeasterly along the Easterly line of 8th Street; thence 82.10 feet Northeasterly and paralleling Grant Street; thence 40 feet Northwesterly and paralleling 8th Street; thence 82.10 feet, more or less, Southwesterly to the point of beginning.

CODE 1 MAP 3809-29DC TL 19100

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Duane Wm, Schultz the 17th day of April A.D., 19 98 at 1:49 o'clock P. M., and duly recorded in Vol. M98 of Mortgages on Page 12858

FEE \$20.00

By Bernetha G. Leisch, County Clerk
Kathleen Ross