

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from Brandon Keith Harper, Grantor
To Harold V. Speetzen and Sharon L. Mullahey, with full rights of survivorship, Beneficiary

AFTER RECORDING RETURN TO:

Scott D. MacArthur, P.C.
280 Main Street
Klamath Falls, OR 97601

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by BRANDON KEITH HARPER, grantor, to Aspen Title & Escrow, Inc., an Oregon Corporation as trustee, in favor of HAROLD V. SPEETZEN and SHARON L. MULLAHEY, with full rights of survivorship, as beneficiary, dated July 31, 1997, recorded July 31, 1997, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M97 at page 24767, covering the following described real property situated in said county and state, to-wit:

Lots 13, 14, 15, 16 and 17, Block A, RAILROAD ADDITION TO THE CITY OF MALIN, in the County of Klamath, State of Oregon.

EXCEPTING THEREFROM the Southerly 30 feet deeded to the City of Malin, recorded June 8, 1928 in Book 80 at Page 442, Deed Records 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 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.

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:

Taxes for the fiscal year 1997-1998, delinquent in the sum of \$403.30, plus interest.

Payments in the amount of \$500.00 per month from March 1998 through the present.

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: \$42,809.34 as of March 9, 1998, plus interest, costs and late charges.

20-02

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 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 compensation of the trustee as provided by law, and the reasonable fees of trustee's attorney.

Said sale will be held at the hour of 10:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on September 4, 1998, at the following place: 280 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee of said sale.

Other than as shown of record, neither the said beneficiary or 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
Brandon Keith Harper P.O. Box 967 Merrill, OR 97633	Default upon Trust Deed
Brandon Keith Harper 2309 Market Street Malin, OR 97632	Default upon Trust Deed

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 rendering 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 Section 86.753 of Oregon Revised Statutes.

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.

13131

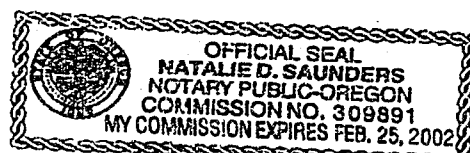
DATED: April 21, 1998

Scott D. MacArthur
Scott D. MacArthur
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 21st day of April, 1998, by Scott D. MacArthur.

(SEAL)



Before me: Natalie D. Saunders
Notary Public for Oregon
My Commission Expires: Feb 25, 2002

STATE OF OREGON, County of Klamath)ss.

I certify that the within instrument received for record on the 21st day
Of April, 19 98, 10:38 o'clock A. M., and recorded in book/reel/
volume No. 498 on page 13129 or as fee/file/instrument/microfilm/reception
No 56725, Recorded of _____ of said County.
Mortgages

Witness my hand and seal of County affixed.

Bernetha G. Letsch, Co. Clerk

Name _____ Title _____
By Kathleen Rosen Deputy

Fee: \$20.00

56726

Vol. M98 Page 13132

Conditional Use Permit

Restrictive Covenant

96 APR 21 AM 10:38

Know all men by these present that Mark S. and Lori M. Gillispie, in consideration of the approval by Klamath County Oregon, of Conditional use permit number 104-97 on the following described real property situated in Klamath County Oregon:

Portion of the S.E. 1/4 of the N.W. 1/4 Section 29 T 39S R 11 E WM Tax account number 3911-2900 t1 700.

hereby records this restrictive covenant prohibiting the permit grantee and successors in interest from filing complaints concerning accepted resource management practices that may occur on nearby lands devoted to commercial resource use.

Mark S. Gillispie
Mark S. Gillispie
Lori M. Gillispie
Lori M. Gillispie

Subscribed and sworn to before me this 20th day of April, 1998

Jodie Schumann
Notary Public

My Commission Expires: June 9, 2001



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mark & Lori Gillispie
of April A.D., 19 98 at 10:38 o'clock A. M., and duly recorded in Vol. M98 day
of Deeds on Page 13132

Return: Mark & Lori Gillispie
P.O. Box 182
Bonanza, Or. 97623
FEE \$10.00
50¢ copy
By Bernetha G. Letsch, County Clerk
Kathleen Ross