

## OREGON NOTICE OF DEFAULT AND ELECTION TO SELL

After recording return to:

T.D. SERVICE COMPANY  
2630 116th Avenue NE, Ste. 200  
Bellevue, WA 98004  
(206) 739-8300

RE: Loan #: FC02059/1735040081  
Title #: IC-52337  
TD #: 0-1025C

Reference is made to that certain trust deed made by DIANE K. LABUWI

to U.S. BANK OF WASHINGTON, NATIONAL ASSOCIATION

, as grantor,

in favor of UNITED STATES NATIONAL BANK OF OREGON

, as trustee,

dated APRIL 22, 1996

, recorded MAY 14, 1996

, as beneficiary,

mortgage records of KLAMATH

, in the

volume NO. M96

at page 13854

County, Oregon, in book / reel /

(fee/file/instrument NO. 17957 )

covering the following described property situated in said county and state, to wit:

LOTS 7 AND 8 IN BLOCK 18 OF HILLSIDE 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.

COMMONLY KNOWN AS: 2040 DEL MORO STREET KLAMATH FALLS, OR 97601

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 said deed of trust, 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:

9 Payments of \$272.44 from 08/20/97

2,451.96

SUB-TOTAL OF AMOUNTS IN ARREARS:

2,451.96

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said deed of trust immediately due and payable, said sums being the following, to wit: Principal \$ 34,803.69 , together with interest as provided in the note or other instrument secured from the 20TH day of JULY , 1997 and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

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 compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

15236

Said sale will be held at the hour of 10:00 AM, Standard  
 Time as established by Section 187.110 of Oregon Revised Statutes on SEPTEMBER 25, 1998  
 at the following place: MAIN STREET ENTRANCE, KLAMATH COUNTY COURTHOUSE, KLAMATH FALLS

County of KLAMATH, State of Oregon.

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

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

DATED: MAY 4, 1998

David A. Kubat, OSBA# 84265  
 (Successor Trustee)

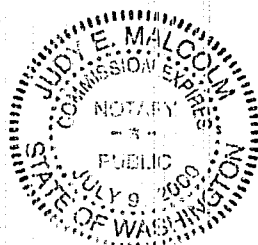
By: *[Signature]*

DIRECT INQUIRIES TO:  
 T.D. SERVICE COMPANY  
 FORECLOSURE DEPARTMENT  
 (425) 739-8800

STATE OF WASHINGTON )  
 ) SS.  
 COUNTY OF KING )

On this day personally appeared before me DAVID A. KUBAT  
 to me known to be the individual described in and who executed the within and foregoing instrument, and  
 acknowledged that HE signed the same as HIS free and voluntary act and deed, for  
 the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 4th day of MAY 1998.



JUDY E. MALCOLM *[Signature]*  
 Notary Public in and for the State of  
WASHINGTON residing at BOHELL  
 My commission expires: 07/09/2000

STATE OF OREGON,  
 County of Klamath ss.

Filed for record at request of:

First American Title  
 on this 6th day of May A.D., 1998  
 at 11:16 o'clock A. M. and duly recorded  
 in Vol. M98 of Mortgages Page 15235  
 Bernetha G. Letsch, County Clerk

By *[Signature]* Deputy

Fee, \$15.00