

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by PAUL DAVIS as Grantor, to ASPEN TITLE & ESCROW, INC., as Trustee, in favor of ROBERT LANDER, as Beneficiary, dated May 12, 1997, recorded May 16, 1997, in the Mortgage Records of Klamath County, Oregon in Vol. M97, page 15058, covering the following described real property situated in said county and state, to-wit:

Lot 7, Block 63, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS,
in the County of Klamath, State of Oregon.
CODE 1 MAP 3809-29DC TL 18800

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 of which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments in the amount of \$344.85 due on April 7, 1998, and each month thereafter, plus real estate taxes for the year 1997-1998 in the amount of \$376.54 plus interest. Account No. 3809-29DC-18800.

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:

\$33,258.75 plus interest in the amount of \$97.50 plus \$8.20 per day from May 7, 1998, plus real estate taxes in the amount of \$376.54 plus interest for the year 1997-1998. Account No. 3809-29DC-18800.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 6, 1998, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Klamath Falls Post Office front steps, 317 South Seventh, 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 him of the said trust deed, together with any interest which the grantor or his 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 of 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 which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: 5/18/98


Successor Trustee

Richard Fairclo
Richard Fairclo
Attorney at Law
280 Main Street
Klamath Falls OR 97601

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STATE OF OREGON

County of Klamath

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 } ss.
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I, RICHARD FAIRCLO, being duly sworn, depose and say and certify that:

At all times hereinafter mentioned I was and am now a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor of interest named in the foregoing original notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the foregoing notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons at their respective last known addresses, to-wit:

Paul Davis
 4550 E. Jewel, Apt. 144
 Denver CO 80222

Occupant
 824 Grant Street
 Klamath Falls OR 97601

Occupant of 824 Grant Street
 c/o Goose Lake Property Management
 1014 Main Street
 Klamath Falls OR 97601

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice (c) any person, including the Department of Revenue or any other state agency, having a lien or interest, subsequent to the trust deed if the lien or interest appears of record of the beneficiary has actual notice of the lien or interest, and (d) any person request notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be true copy of the original notice of sale by RICHARD FAIRCLO, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States Post Office at Klamath Falls, Oregon, on May 18, 1998, as mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

SUBSCRIBED AND SWORN to before me this 18 day of May, 1998.

Lois E. Adolf
 Notary Public of Oregon
 My Commission expires:

Richard Fairclo
 Attorney at Law
 280 Main Street

Klamath Falls OR 97601



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Richard Fairclo the 18th day
 of May A.D., 19 98 at 2:39 o'clock P. M., and duly recorded in Vol. M98
 of Mortgages on Page 16866.

FEE \$15.00

By Bernetha G. Letsch, County Clerk
Kathleen Ross