

MTC 46644

Return to:  
Brandsness, Brandsness &  
Rudd, P.C.  
411 Pine Street  
Klamath Falls, Oregon 97601

Clerk's Stamp:

**TRUSTEE'S NOTICE OF DEFAULT  
AND ELECTION TO SELL AND OF SALE**

Reference is made to the following Trust Deed: Salvador Paez and Olivia Alvarado, not as tenants in common, but with the right of survivorship, Grantor; Mountain Title Company of Klamath County, Trustee; and Ernie Herman and Janet Herman, husband and wife, Beneficiary, recorded in Official/Microfilm Records, Volume M90, Page 6220, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon:

Lots 3 and 4, Block 50, ORIGINAL TOWN OF MALIN, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

No action is pending to recover any part of the debt secured by the trust deed.

The obligation secured by the trust deed is in default because the grantor has failed to pay the following: Failed to pay the installment due March 2, 1998, and monthly installments thereafter; failed to pay 1997-1998 Klamath County real property taxes in the amount of \$333.84 plus interest.

The sum owing on the obligation secured by the trust deed is: The sum of \$17,013.89 plus interest at the rate of 10% per annum from November 10, 1998, until paid, plus 1997-1998 Klamath County real property taxes in the amount of \$333.41 plus interest, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.

Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on April 16, 1999, at 10:00 o'clock a.m. based on standard of time established by ORS 187.110 at the Offices of Brandsness, Brandsness & Rudd, P.C., 411 Pine Street, Klamath Falls, Oregon.

Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as

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would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.

DATED this 1 day of December, 1998.

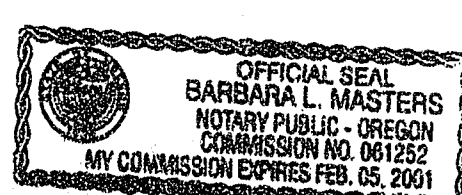
Michael P. Rudd  
Michael P. Rudd, Trustee  
411 Pine Street  
Klamath Falls, OR 97603

STATE OF OREGON )  
County of Klamath ) ss.

December 1, 1998.

Personally appeared Michael P. Rudd and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:

Barbara L. Masters  
Notary Public for Oregon  
My Commission expires: 2-5-01



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle  
of December A.D., 19 98 at 3:20 o'clock P. M., and duly recorded in Vol. M98  
of Mortgages on Page 44106

FEE \$15.00

By Bernetha G. Letsch, County Clerk