

ON WE ARE ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

71067

K-S3546

Vol. 1799 Page 3981

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Dennis M. Barcus and Charlene E. Barcus....., as grantor, to

Merititle....., as trustee,

in favor of Forest Products Federal Credit Union....., as beneficiary,

dated January 27....., 19 97, recorded January 31....., 19 97, in the mortgage records of

Klamath..... County, Oregon, in ~~Volume No. M97~~..... at page 2906....., or as

~~part of a larger tract of land, to-wit:~~....., covering the following described real property situated in said county and state, to-wit:

Lot 9, Block 1, TRACT 1216, DODDS HOLLOW ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

James R. Uerlings, Attorney-at-Law, appointed Successor Trustee on January 22....., 1999. Said appointment was recorded on January 26....., 1999 in volume M99, page 2677 in the 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 except as permitted by ORS 86.735(4).

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: 1) Failure to make monthly payments of \$127.35 for the months of September through December, 1998 and January 1999 and each month thereafter.

2) Late payment fees of \$31.85 through January 1999 and thereafter at \$6.37 per month.

3) Failure to pay farm use deferment taxes to Klamath County of \$823.05 plus interest.

Loan #130200-3

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:

\$9,340.45 plus interest on the principal balance of \$9,042.61 at 9.125% per annum from December 31, 1998 until paid, plus attorney fees, trustee fees and costs of foreclosure, as allowed by Oregon law.

Loan #130200-3

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 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 said described property which the grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest the grantor or grantor's 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.

Said sale will be held at the hour of 11:05 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on June 24....., 19 99, at the following place: 110 N. 6th Street.....

..... in the City of Klamath Falls....., County of Klamath....., State of Oregon, which is the hour, date and place last set for said sale.

RETURN TO:

James R. Uerlings

110 N. 6th St.

Klamath Falls, OR 97601

99 JUN-3 10 40

Other than as shown of record, neither the said beneficiary nor 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

None

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

DATED: January 26, 1999

James R. Uerlings

Successor

Trustee

Beneficiary

(state which)

STATE OF OREGON, County of Klamath ss.

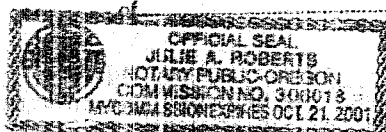
This instrument was acknowledged before me on January 26, 1999,

by James R. Uerlings

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

by _____

as _____



Notary Public for Oregon

My commission expires 10/21/01

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM 150, 8-84)

REVISED BY L.A. P.S. CO. FOR LAND OR.

Re: Trust Deed From

Dennis M. & Charlene E. Barcus

Grantor

To

James R. Uerlings

Successor Trustee

AFTER RECORDING RETURN TO

James R. Uerlings
110 N. 6th Street
Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

Fee: \$15.00

STATE OF OREGON, } ss.
County of Klamath

I certify that the within instrument was received for record on the 3rd day of February, 1999, at 9:45 o'clock A.M., and recorded in book/roll/volume No. M99 on page 3981 or as fee/file/instrument/microfilm/reception No. 74067, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Linda Smith, County Clerk

NAME

TITLE

By Katherine Ross Deputy