'99 FIB 12 P3:07

NOTICE OF DEFAULT AND ELECTION TO SELL OF CHEER A. AMENDED

Rodney D. Miller and Kelly A. MILTER MINE made, executed and delivered to Aspen Title & Escorw Inc. to secure the performance of certain obligations including the payment of the principal sum of \$

in favor of Robert Tuttle that certain trust deed dated August 15, 1997, and recorded August 15, in book M97 at page 26944, of the mortgage records of Klamath County, Oregon, or

(indicate which), covering the following described real

property situated in said county:
All that portion of Lots 19 and 20, Block 125, Hills Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon, described as follows:

follows:
Beginning at a point on the Scutherly line of Orchard Avenue, which point is
10 feet East of the Northwest corner of said Lot 20, and running thence South10 feet East of the Northwest corner of said Lot 20, and running thence Southwesterly at an angle of 104 degrees 30" with the Southerly line of Orchard
Avenue, 90.3 feet, more or less, to the Southwesterly line of Lot 20; thence
Avenue, 90.3 feet, more or less, to the Southwesterly line of Lot 20; thence continuing on same course 9
Iess to the Southeast corner of Lot 20; thence Northeasterly to a point on the
feet along the Southerly line of Lot 19; thence Northeasterly corner of
Southerly line of Orchard Avenue 6 feet West of the Northeasterly corner of
Lot 20; thence Northwesterly along the Southerly line of Orchard Avenue 30
feet to the point of beginning

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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 and that the beneficiary is the owner and holder of the obligations, the performance of which is secured by said trust deed; further, that no action, suit or proceeding has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action or proceeding has been instituted, such action or proceeding has been dismissed.

There is a default by the grantor owing the obligations, the performance of which is secured by said trust deed, with respect to provisions therein which authorize sale in the event of default of such provision, in that the grantor has failed to pay, when due, the following sums thereon:

Thirteen (13) delinquent monthly payments as of the date hereof totaling the sum of \$1,495.00 as of 1/15/99 and late fees, plus real estate taxes of \$1010, plus interest thereon.

Marine 1 to make writer as a fight well which are now past due, owing and delinquent. Grantor's failure just described is the default for which the foreclosure mentioned below is made.

By reason of said default, the beneficiary has declared all obligations secured by said trust deed immediately due, owing and payable, said sums being the following, to-wit: The principal balance of \$11,479.00, plus accrued interest and late charges of \$1,495.00 as of 1/15/99, plus interest accruing at 12% per year, collection costs of \$1200.00, the cost of a foreclosure report in the amount of \$300.00, and delinquent taxes as set forth below.

Notice hereby is given that the undersigned, by reason of said default, has elected and he hereby does 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 a reasonable charge by the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 0.00am o'clock, a M. Standard Time, as established by Section 187.110 of Oregon Revised Statutes on June 30 , 19 99 at the following place: Main Entrance, 187.110 of Oregon Revised Statutes on June 30 in the City of Klamath Falls , County of Klamath County Courthquise in the City of Klamath , State of Oregon, which is the hour, date and place fixed by the trustee for said sale.