75137

99 FED 24 P3:23

Vol. 211 Page 6455

AFTER RECORDING RETURN TO:

CAL-WESTERN RECONVEYANCE CORPORATION 525 EAST MAIN STREET P.O. BOX 22004 EL CAJON CA 92022-9004 (619)590-9200

MTC 47460

\_( ecorder's Use)\_\_\_

NOTICE OF DEFAULT AND ELECTION TO SELL

Loan No.: 1043102415 T.S. No.: 1015861-03

Reference is made to that certain trust deed made by WESLEY E. COATES AND EVA M. COATES, HUSBAND AND WIFE, as grantor, to ASPEN TITLE & ESCROW, INC., as trustee, in favor of TOWN & COUNTRY MORTGAGE, INC., as beneficiary, dated March 14, 1989, recorded March 23, 1989, in the official records of KLAMATH County, Oregon, in book/reci/volume No. M89 at page 4928, fee/file/instrument/microfilm/reception No. 98367 (indicate which), covering the fellowing described real property stuated in said County and State, to-wit:

LOT 21, BLOCK 7, THIRD ADDITION TO WINEMA GARDENS, IN THE COUNTYOF KLAMATH, STATE OF OREGON.

CAL-WESTERN RECONVEYANCE CORPORATION, as Trustee, hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor-real property is situated; further, that no action, suit or proceeding has been instituted to recover the debt, or any action or proceeding has been dismissed except an action to appoint a receiver pursuant to ORS 86.010, or the foreclosure repayment of this debt.

There is a default by the granter or other person owing an obligation, or by their successor-in-interest, the performance of which is secured by said trust ceed with respect to provisions therein which authorize sale in the event of default of such provision; the default for which f reclosure is made is grantor's:

NODOR

Page 1 of 3

## NOTICE OF DEFAULT AND ELECTION TO SELL

Loan No.: 1043102415 T.S. No.: 1015861-03

Failure to pay the monthly payment due October 1, 1998 of principal, interest and ir pounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust.

Monthly Payment: \$863.52 Monthly Late Charge: \$34.34

Ey reason of said default, the beneficiary has declared all obligations secured by said trust deed immediately due and payable,

s iid sums being the following, to-wit:

The principal sum of \$ 62,518.00 together with interest thereon at the rate of 10.500% per annum from 09/01/1998 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary rursuant to the terms and conditions of said deed of trust.

RE: Trust WESLEY		۷A	M.	COA	TES
ASPEN	መ ተጥ ተጥ	 12:5	SCR		rantor to
ASFER	11111	 			Trustee

Notice is hereby given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisment and sale pursuant to Oregon Revised Statutes Sections 86.705 to 86.795, and to cause to be sold at public auction to the nighest bidder for cash funds 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 execution of the trust deed to satisfy the obligations secured by said trust deed and the expenses of the sa e, including the compenstions of the trustee as provided by law, and the reasonable fees of trustee's attornevs.

Said sale will be held at the hour of 1:00 PM, Standard of Time as established by Section 187.110 of Oregon Revised Statutes on July 9, 1999 at the following place:

AT THE FRONT DOOR TO THE KLAMATH COUNTY COURTHOUSE,

in the City of KLAMATH FALLS County of KLAMATH, State of Oregon, which is the hour, date and place fixed by the trustee for said sale.

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 persons 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 to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as 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 the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

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 persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Page 2 of 3

NODOR

## NOTICE OF DEFAULT AND ELECTION TO SELL

Lean No.: 1043102415 T.S. No.: 1015861-03

CAL-WESTERN RECONVEYANCE CORPORATION By/Signature; YVONNE February 23, 1999 CE PRESIDENT STATE OF CALIFORNIA COUNTY OF SAN DIEGO ISS FEBRUARY 23, 1999 YVONNE J. WHEELER before me, the undersigned. a Notary Public in and for said State, personally appeared to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the \_\_ personally known to me (or proved to me on the basis of satisfactory evidence) same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. TAMAY WILDE Commission # 1190197 Notary Public - California San Diego County My Comm. Expires Jul 16, 2002 Notary Public, State of California, My commission expires 7-16-02 Page 3 of 3 Rev. 06/24/98 STATE OF OREGON: COUNTY OF KLAMATH: Filed for record at request of February A.D., 1999 at 3:23 o'clock P. M., and duly recorded in Vol. M99 Mortgages 24th FEE \$20.00 on Page 6455 Linda Smith, County Clerk