

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by JESSE D. MCKENZIE, as Grantor, to KLAMATH COUNTY TITLE COMPANY, as Trustee, in favor of T.C. DAEUBLE, JR., as to an undivided 50% interest and JOSEPH J. FREEDMAN, TRUSTEE FOR THE JOSEPH J. FREEDMAN PROFIT SHARING TRUST as to an undivided 50% interest, as Beneficiary, dated April 7, 1997, recorded April 14, 1997, in the Mortgage Records of Klamath County, Oregon in Vol. M97, page 11031, and re-recorded at Vol. M97, page 12503, covering the following described real property situated in said county and state, to-wit:

Lot 28 and 29 in Block 111 of Klamath Falls Forest Estates Highway 66 Unit, Plat No. 4, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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:

Payments in the amount of \$112.94 due and payable April 25, 1998, and each and every month thereafter, plus real estate taxes: For the year 1997-98 in the amount of \$36.53 plus interest, and for the year 1998-99 in the amount of \$37.05 plus interest, (Account No. 3711-36D-1300 Key No. 402638); and for the year 1997-98 in the amount of \$36.53, plus interest and for the year 1998-99 in the amount of \$37.05 plus interest (Account No. 3711-36D-1200 Key No. 402629). Also, County road assessment for Klamath Falls Forest Estates Unit 4 Road Maintenance Association in the amount of \$82.

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:

\$3,163.73 plus interest in the amount of \$.86 per day from May 6, 1998, plus real estate taxes: For the year 1997-98 in the amount of \$36.53 plus interest, and for the year 1998-99 in the amount of \$37.05 plus interest, Account No. 3711-36D-1300 Key No. 402638; and for the year 1997-98 in the amount of \$36.53, plus interest and for the year 1998-99 in the amount of \$37.05 plus interest (Account No. 3711-36D-1200 Key No. 402629). Also County road assessment for Klamath Falls Forest Estates Unit 4 Road Maintenance Association in the amount of \$82.

WHEREFORE, notice hereby is given that the undersigned trustee will on July 14, 1999, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Government Center, front steps, 305 Main Street, 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

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Richard Fairclo
Attorney at Law
280 Main Street
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portion of the principal as would not then to 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: February 24, 1999


Successor Trustee

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Attorney at Law
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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON

] ss.

County of Klamath

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:

Jesse McKenzie
34668 Elk Lane
Bonanza OR 97623

Klamath Falls Forest Estates Unit 4 Road Maintenance Association
P.O. Box 276
Bonanza OR 97623

Carter Jones Collection, LLC
1143 Pine 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.

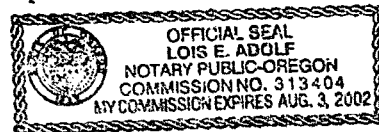
Each of the notices so mailed was certified to be true copy of the original notice of sale by RICHARD FAIRCLO, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States Post Office at Klamath Falls, Oregon, on February 24, 1999, 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 24th day of February, 1999.

[Signature]
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 Fairclo the 24th day
of February A.D., 1999 at 3:44 o'clock P. M., and duly recorded in Vol. M99
of Mortgages on Page 6517

Linda Smith, County Clerk

FEE

\$20.00

by Kathleen Rosa