

## OREGON NOTICE OF DEFAULT AND ELECTION TO SELL

After recording return to:

K-53837

T.D. SERVICE COMPANY, WASHINGTON  
1750 E. 4th Street, #800  
Santa Ana, CA 92705  
(800) 843-0280

RE: Loan #: 26-70-12012  
Title #: Dava116958  
TD #: 0-1266

Reference is made to that certain trust deed made by EDMOND W. ANDERSCH AND BARBARA A. ANDERSCH AS TENANTS BY THE ENTIRETY to MOUNTAIN TITLE COMPANY, A CORPORATION

, as grantor,

in favor of SOUTHERN PACIFIC THRIFT & LOAN A CALIFORNIA CORPORATION

, as trustee,

dated FEBRUARY 23, 1996

, as beneficiary,

mortgage records of KLAMATH

, recorded MARCH 12, 1996

, in the

volume NO. M96

at page 6655

County, Oregon, in book / reel /

, (fee/file/instrument NO. 14594 )

covering the following described property situated in said county and state, to wit:

PARCEL 1: LOTS 10, 11, 12, 13, 14 AND 15 IN BLOCK 6 OF SECOND HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. PARCEL 2: LOT 9 IN BLOCK 6 OF SECOND HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

MORE COMMONLY KNOWN AS: 1400 & 1420 ESPLANADE  
KLAMATH FALLS, OREGON 97601

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 situated; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said deed of trust, or, if such action has been instituted, such action has been dismissed.

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:

5 Late Charge(s) of \$79.65 from 11/11/98	398.45
5 Payments of \$1,328.17 from 11/01/98	6,640.85
1 Late Charge(s) of \$81.16 from 10/11/98	81.16
1 Payments of \$1,352.70 from 10/01/98	1,352.70
SUB-TOTAL OF AMOUNTS IN ARREARS:	8,473.16

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said deed of trust immediately due and payable, said sums being the following, to wit: Principal \$ 130,249.13, together with interest as provided in the note or other instrument secured from the 1ST day of SEPTEMBER, 1998 and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

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 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 the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

10334

Said sale will be held at the hour of 10:00AM  
Time as established by Section 187.110 of Oregon Revised Statutes on  
at the following place: MAIN ST. ENTRANCE, KLAMATH COUNTY

AUGUST 13, 1999 Standard  
COURTHOUSE, KLAMATH FALLS

County of KLAMATH State of Oregon.

Other than as shown of record, neither the said beneficiary or the said trustee has any actual notice of any  
potion 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

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right,  
at any time prior to five days before the trustee conducts 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 perform-  
ance 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 Section 86.753 of Oregon Revised Statutes.

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

DATED: 3-22-99

David A. Kubat, OSBA # 84265  
(Successor Trustee)

By: *[Signature]*

DIRECT INQUIRIES TO:  
T.D. SERVICE COMPANY  
FORECLOSURE DEPARTMENT  
(800) 843-0260

STATE OF CALIFORNIA

COUNTY OF ORANGE

) SS.

On this day personally appeared before me DAVID A. KUBAT OSBA # 84265  
to me known to be the individual described in and who executed the within and foregoing instrument, and  
acknowledged that he signed the same as his free and voluntary act and deed, for  
the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 22ND day of MARCH 1999

*[Signature]*  
M.Y. MANDA  
Notary Public in and for the State of CA  
residing at Westminster  
My commission expires:  
7-26-99



STATE OF OREGON,  
County of Klamath ss.  
Filed for record at request of:

on 23rd day of March A.D. 1999  
at 3:05 o'clock P. M., and duly recorded  
in Vol. 899 of Mortgages on Page 10333

Linda Smith, County Clerk

By *[Signature]* Deputy