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**NOTICE OF DEFAULT
AND ELECTION TO SELL**

ASPEN 04049233

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Re: Trust Deed From:

Rodney D. Miller and Kelly Miller, Grantors

To:

Aspen Title and Escrow, Inc., Trustee,
Successor Trustee, Brandt A. Himler

AFTER RECORDING RETURN TO:

Alan G. Hanson, Atty at Law
1223 Edgewater NW, Salem, OR 97304

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NOTICE OF DEFAULT AND ELECTION TO SELL

REFERENCE is made to that certain trust deed made by **RODNEY D. MILLER AND KELLY MILLER**, husband and wife, as grantors, to **ASPEN TITLE AND ESCROW, INC.**, as trustee; Successor Trustee, **BRANDT A. HIMLER**, as trustee, in favor of **CATHERINE BARRY**, as beneficiary, dated the 3rd day of April, 1996, and recorded the 10th day of April, 1996 in the microfilm mortgage records of Klamath County, Oregon at Volume M96, Page 10063, covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 12, Block 301, DARROW ADDITION TO THE CITY OF KLAMATH FALLS, County of Klamath,
State of Oregon
CODE I MAP 3809-33DA TL 8700

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 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 the trust deed, or by the 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:

Monthly payments in the amount of \$137.25 from January 7, 1998, to present, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns; plus real property taxes (if any), together with any penalties, delinquent interest and late charges thereon.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

\$12,185.63 plus interest at a rate of 13.5 percent per annum from December 8, 1997, to present, together with property taxes, title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.