

NS

NOTICE OF DEFAULT
AND ELECTION TO SELL

RE: Trust Deed from

Don R. Campbell

1999 JUL 30 AM 11:22

To

Grantor

Aspen Title & Escrow, Inc.

(Neal G. Buchanan, Attorney at Law,
as successor trustee)

Trustee

After recording, return to (Name, Address, Zip):

Neal G. Buchanan

435 Oak Avenue

Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

Vol M99 Page 30497

STATE OF OREGON,

County of _____ } ss.

I certify that the within instrument
was received for record on the _____ day
of _____, 19____, at
_____ o'clock _____ M., and recorded in
book/reel/volume No. _____ on page
_____ and/or as fee/file/instru-
ment/microfilm/reception No. _____,
Records of said County.

Witness my hand and seal of County
affixed.

NAME

TITLE

By _____, Deputy.

Reference is made to that certain trust deed made by _____ Don R. Campbell

Aspen Title & Escrow, Inc.

in favor of Ray West

dated

August 19

Klamath

County, Oregon, recorded September 24

in book/_____ No. M96, 1996, in the Records of
fee/file/instrument/microfilm/reception No. 25632 (indicate which), covering the following described real property
situated in the above-mentioned county and state, to-wit:

Lots 11 thru 13 and Lot 17, Block 1; Lots 12 thru 15 and Lots
18, 20, 21, 25, 28, 29, 33, 36, and 37, Block 2; Lot 7, Block 4,
BLEY-WAS HEIGHTS, in the County of Klamath, State of Oregon.

Lots 6 thru 8, Block 1; Lots 1, 7, 10 and 13, Block 5, FIRST
ADDITION TO BLEY-WAS HEIGHTS, in the County of Klamath, State
of Oregon.

AD: Appointment of Successor Trustee dated April 28, 1999 and recorded in Vol. M99, Page 19959 in the Records of
Klamath County, Oregon, Neal G. Buchanan, Attorney at Law, was appointed successor trustee.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appoint-
ments of a successor trustee have been made, except as recorded in the Records of the county or counties in which the above-
described real property is situated. Further, 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 grantor or other person owing an obligation, 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:

1. No payments have been made applicable to the scheduled monthly payments otherwise due for March 20,
1999, and the 20th day of each and every month thereafter, such payments to have been made in
the sum of \$1,191.82 each month; 2. Real property taxes with reference to most of the subject parcels, which
such real property taxes have been allowed by grantor to become past due and delinquent in default of
the provisions of paragraph 5 of the Trust Deed; 3. In allowing certain additional judgment liens and other
encumbrances to attach to the real property, also in breach of paragraph 5 of the Trust Deed.

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: 1. Principal balance in the sum of \$56,732.88 together with
interest on said sum at the rate of 10% per annum from January 14, 1999 until paid; 2. All costs, fees (including
trustee's and attorney's fees) and expenses of the trustee, including cost of title search as provided for by
paragraph 7 of the Trust Deed; 3. Unpaid real property taxes owing to the County of Klamath, State of Oregon.

(OVER)

252

30498



Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the 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.

The sale will be held at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on December 15, 1999, at the following place: Law Offices of Neal G. Buchanan, 435 Oak Ave., in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Other than as shown of record, neither the beneficiary nor the 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 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

SEE LISTING ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE INCORPORATED
HEREIN AS IF FULLY SET FORTH.

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 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 performance required under the obligation or trust deed, and in addition to paying the 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 fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated July 30, 1999.

Neal G. Buchanan
NEAL G. BUCHANAN

☒ Trustee ☐ Beneficiary (indicate which)
Successor

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on July 30, 1999,

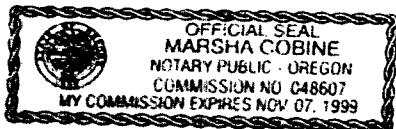
by Neal G. Buchanan

This instrument was acknowledged before me on _____, 19____,

by _____

as _____

of _____



Marsha Cobine
Notary Public for Oregon

My commission expires 11-7-99

NAME AND LAST KNOWN ADDRESS:

NATURE OF RIGHT, LIEN OR INTEREST:

David McKenzie
3415 Country Club Drive South
Salem, Oregon 97302

Plaintiff regarding
Klamath Co. Circuit Court Case
#9804730CV

Paul J. Rask
Attorney at Law
106 Tabor Square
4610 S.E. Belmont St.
Portland, Oregon 97215

Attorney for David McKenzie
as reflected by document recorded
at Book M98, Page 45763, Records of
Klamath County, Oregon

Weigand Investments, Inc.
9041 S. Powell Butte Hwy.
Powell Butte, Oregon 97753

Trust Deed beneficiary as reflected
by Trust Deed recorded at Book M98,
Page 42335, Records of Klamath
County, Oregon

Elliott J. Mantell
1245 N.W. 53rd
Portland, Oregon 97210

Plaintiff with
reference to Klamath County
Circuit Court Case No. 9901355CV

William R. Goode
Attorney at Law
4224 S.W. Helville Ave.
Portland, Oregon 97201

Attorney Lien arising from
or in regard to Klamath Co.
Circuit Court Case No. 9901355CV

Elliott J. Mantell
1245 N.W. 53rd
Portland, Oregon 97210

Creditor pursuant to Notice of
Pendency of an Action recorded at
Book M98, Page 42867, Records of
Klamath County, Oregon (and refer-
ring to Multnomah Co. Circuit Court
Case No. 9811-08086)

C. Scott Howard
Attorney at Law
851 S.W. Sixth Ave., Suite 1500
Portland, Oregon 97204

Attorney Lien regarding Notice
of Pendency of an Action recorded
at Book M98, Page 42867 (and refer-
ring to Multnomah Co. Circuit Court
Case No. 9811-08086)

James Campbell
2229 N.E. Burnside #253
Gresham, Oregon 97030

Judgment Creditor arising from
Klamath County Circuit Court Case
No. 9902768CV

Michael S. Fryar, P.C.
Attorney at Law
P.O. Box 1724
Gresham, Oregon 97030

Attorney Lien arising from out of
Judgment Lien obtained in Klamath
County Circuit Court Case No.
9802768CV

Mary Jane Sheldon, Trustee
Shelmar Company Profit Sharing
(aka Shalmar Company Profit Sharing)
3403 Steamboat Isl. Rd., NW
Olympia, WA 98502

Plaintiff in Klamath County Circuit
Court Case No. 9900548CV

30500

James R. Uerlings
Boivin, Jones, Uerlings,
DiIaconi & Oden, P.C.
110 N. Sixth St.
Klamath Falls, Oregon 97601

Golden Eagle Investments, L.L.C.
c/o DWT Oregon Corporation
1300 S.W. 5th Ave., Suite 2300
Portland, Oregon 97201

Don R. Campbell
4932 Sunnyside Road N.E.
Salem, Oregon 97305

Attorney for Mary Jane Sheldon,
Trustee, Shelmar (aka Shalmar)
Company Profit Sharing
Plaintiff in Klamath County Circuit
Court Case No. 9900548CV

Assignee of Grantor's interest and
fee owner of real property

Promisor and grantor

State of Oregon, County of Klamath
Recorded 7/30/99, at 11:22 a. m.
In Vol. M99 Page 30497
Linda Smith,
County Clerk Fee \$ 25 KR

EXHIBIT A
pg 2 of 2