

NL

ATC # 01058181

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NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Roberto R. Davila and Sylvia R. Davila,
as tenants by the entirety, Aspen Title Co., as grantor, to
in favor of Transamerica Financial Services, as trustee,
dated August 22, 1996, recorded August 27, 1996, in the mortgage records of
Klamath County, Oregon, in book/~~reel~~/volume No. M-96 at page 26579 ~~for~~ as
fee/~~file~~/~~instrument~~/~~microfilm~~/~~reception~~ No. 23915 (~~indicate which~~), covering the following described real
property situated in the above-mentioned county and state, to-wit:

The North 50 feet of Lots 612 and 613, Block 128, MILLS ADDITION TO THE CITY
OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

The beneficial interest in said trust deed was assigned to LaSalle National Bank as
Trustee by instrument recorded Feb. 9, 1998, in Book M-98 at page 4124 as Recorder's
Fee No. 52869.

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:

SEE EXHIBIT A, PARAGRAPH I, ATTACHED.

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:

SEE EXHIBIT A, PARAGRAPH II, ATTACHED.

— OVER —

**NOTICE OF DEFAULT
AND ELECTION TO SELL**

Re: Trust Deed from

Roberto R. Davila and
Sylvia R. Davila

Grantor

TO

Aspen Title Co.

Trustee

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

Beverly S. Thomas
1100 SW Sixth, Suite 1600
Portland, OR 97204

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, } ss.
County of _____

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 _____ or as fee/file/instru-
ment/microfilm/reception No. _____,
Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

NAME

TITLE

By _____ Deputy

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 the grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest the 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 one o'clock, P.M., in accord with the standard of time established by ORS 187.110 on February 23, 2000, ~~19~~, at the following place: the front steps of the Government Center at 305 Main Street 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 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 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's 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 October 6, 1999.

James Ray Streinz, Successor Trustee
Trustee Beneficiary (state which)

STATE OF OREGON, County of Multnomah ss.

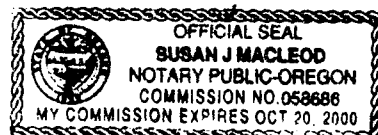
This instrument was acknowledged before me on October 6, 1999.

by James Ray Streinz

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

by _____

as _____



Susan J MacLeod
Notary Public for Oregon
My commission expires 10-20-2000

EXHIBIT A

I

Monthly principal and interest installments of \$704.94 each for the months of June through October, 1998, and for December 1, 1998, until paid; delinquent property taxes, if any; cost of foreclosure report; attorney's fees, trustee's fees, together with any other sums due or that may become due under the Note or by reason of this foreclosure and any further advances made by Beneficiary as allowed by the Note and Deed of Trust.

II

The principal sum of \$55,200.66 with interest on the principal balance at the rate of 14.95 percent per annum, from May 1, 1998, until paid; prepayment premium, if applicable; cost of foreclosure report; attorney's fees, trustee's fees, together with any other sums due or that may become due under the Note or by reason of this foreclosure and any further advances made by Beneficiary as allowed by the Note and Deed of Trust.

State of Oregon, County of Klamath
Recorded 10/08/99, at 3:15 P. m.
In Vol. M99 Page 40156
Linda Smith,
County Clerk Fee \$ 20⁰⁰