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Vol M99 Page

# NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from O. Jeffery LeRoy, Grantor.  
To John E. Bonner and Jane E. Bonner, Husband and Wife, Beneficiary

AFTER RECORDING RETURN TO: Scott D. MacArthur, P.C., 280 Main Street, Klamath Falls,  
OR 97601

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by O. JEFFERY LeROY, as grantor, to Aspen Title and Escrow, Inc., as trustee, in favor of JOHN E. BONNER and JANE E. BONNER, Husband and Wife, as beneficiary, dated July 29, 1996, recorded July 31, 1996, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M96 at page 23282, covering the following described real property situated in said county and state, to-wit:

The E ½ W ½ NE 1/4 and the East 198 feet of the W ½ W ½ NE 1/4 of Section 18, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

LESS AND EXCEPT a tract of land situated in the East ½ W ½ NE 1/4 and the East 198 feet of the W ½ W ½ NE 1/4 of Section 18, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the East 1/16 corner common to Section 7 and said Section 18; thence South 00 degrees 03' 03" West 1257.72 feet; thence South 89 degrees 53' 33" West 865.61 feet; thence North 00 degrees 01' 43" East 1257.72 feet; thence North 89 degrees 53' 33" East 866.10 feet to the point of beginning, with bearings and computations based on recorded survey No. 2834

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 situate; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, 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:

Payments in the amount of \$487.96 per month from February 1999 through the present.

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: \$38,863.46 as of December 23, 1996, plus interest.

cc MacArthur

DC

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 compensation of the trustee as provided by law, and the reasonable fees of trustee's attorney.

Said sale will be held at the hour of 10:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on May 8, 2000, at the following place: 280 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee of said sale.

Other than as shown of record, neither the said beneficiary or the said 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

O. Jeffery LeRoy.  
2530 Shasta Way  
Klamath Falls, OR 97601

Default upon Trust Deed

O. Jeffery LeRoy.  
8320 Keller Road  
Klamath Falls, OR 97603

Default upon Trust Deed

Debra C. LeRoy  
3557 Seutter Place  
Klamath Falls, OR 97603

Judgment Dated July 18, 1996  
Klamath County Case No. 9501990-CV

District Director, Internal Revenue Service  
Attn. Chief Special Procedures  
915 Second Avenue M/S W245  
Seattle, WA 98174

Federal Tax Lien #919862090, Recorded  
February 24, 1998, M 98, Page 5999, Owen  
Jeffery LeRoy

District Director, Internal Revenue Service  
Attn. Chief Special Procedures  
915 Second Avenue M/S W245  
Seattle, WA 98174

Federal Tax Lien #919862091, Recorded  
February 24, 1998, M 98, Page 6000, Owen  
Jeffery LeRoy



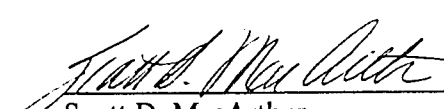
State of Oregon, Department of Revenue  
P.O. Box 14725  
Salem, OR 97309-5018

State Tax Warrant #12969616, Recorded  
September 1, 1998, M 98, Page 32082, Owen  
Jeffery LeRoy

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 performance 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 said Section 86.753 of Oregon Revised Statutes.

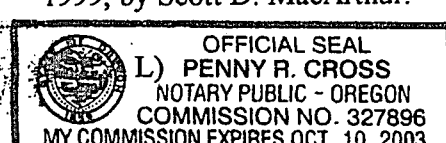
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: December 27, 1999

  
\_\_\_\_\_  
Scott D. MacArthur  
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of December, 1999, by Scott D. MacArthur.



Before me: Penny R. Cross  
Notary Public for Oregon  
My Commissioner Expires: 10/10/03

STATE OF OREGON, County of Klamath)ss.

I certify that the within instrument 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/instrument/microfilm/reception No. \_\_\_\_\_, Recorded of Deeds of said County.

Witness my hand and seal of County affixed.

Name \_\_\_\_\_ Title \_\_\_\_\_  
By \_\_\_\_\_ Deputy

State of Oregon, County of Klamath  
Recorded 12/27/99, at 12:26 p.m.  
In Vol. M99 Page 50673  
Linda Smith,  
County Clerk Fees 20<sup>00</sup>