

**NOTICE OF DEFAULT  
AND ELECTION TO SELL**

RE: Trust Deed from	
David E. Coker	
Carol J. Coker	Grantor
To	
Paul S. Cosgrove, Esq.	Trustee
AFTER RECORDING RETURN TO:	
Paul S. Cosgrove	
Lindsay, Hart, Neil & Weigler LLP	
1300 SW Fifth, Suite 3400	
Portland, OR 97201	65009-278

**PAUL S. COSGROVE, SUCCESSOR TRUSTEE, HEREBY GIVES NOTICE OF DEFAULT AND ELECTION TO SELL:**

Reference is made to that certain trust deed made by David E. Coker and Carol J. Coker, as tenants by the entirety, as grantor, to Aspen Title and Escrow, as trustee, in favor of Associates Financial Services Company of Oregon, Inc., as beneficiary, dated January 31, 2000, recorded February 4, 2000 in the mortgage records of Klamath County, Oregon, in book M-00 at page 3704, covering the following described real property situated in said county and state, to-wit:

See Attached Exhibit 'A'

Our title company has informed us the real property in question is located at: 1323 Worden Rd, Klamath Falls, OR.

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 for April 2000 through August 2000, in the amount of \$3,899.45, and that portion of real property taxes to become due for 2000-01.

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:

As of April 10, 2000, the principal sum of \$66,926.26, plus interest thereafter; plus any sums advanced by the beneficiary or beneficiary's successor in interest for the protection of the above described property, plus attorney and trustee's fees incurred by reason of said default.

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 11:00 a.m. in accord with the standard of time established by ORS 187.110 on Januray 10, 2001, at the following place: main entrance to the Klamath County Courthouse, 316 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:

<u>NAME AND LAST KNOWN ADDRESS</u>	<u>NATURE OF RIGHT, LIEN OR INTEREST</u>
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NONE

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: August 31, 2000.

Paul S. Cosgrove  
Paul S. Cosgrove, Successor Trustee

STATE OF OREGON, County of Multnomah ) ss.

This instrument was acknowledged before me on August 31, 2000  
By Paul S. Cosgrove.

Laura L. Henderson  
Notary Public for Oregon

My commission expires July 5, 2002



## EXHIBIT "A"

That portion of Lots 3 and 4, Block 1, FAIRVIEW ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point on the West line of Lot 4, Block 1, FAIRVIEW ADDITION, 10 feet North of the Southwest corner of said Lot 4; thence North 50 feet; thence East 65 feet; thence South 50 feet; thence West 65 feet to the point of beginning.

State of Oregon, County of Klamath  
Recorded 09/07/00, at 3:02 p. m.  
In Vol. M00 Page 32768  
**Linda Smith,**  
County Clerk Fee\$ 31<sup>00</sup>