

3:25 PM MAR 19 2001

ASPEN 51858

Vol M01 Page 10928

After recording return to:

Northwest Trustee Services, LLC
Attn: Vonnie Nave
PO Box 4143
Bellevue, WA 98009-4143

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Charles E. Bates and Janet M. Bates, as grantors, to Amerititle, as trustee, in favor of Carolina Mortgage Brokers, Inc. d/b/a CMB Mortgage, a North Carolina corporation, as beneficiary, dated 12/01/97, recorded 12/05/97, in the mortgage records of Klamath County, Oregon, as 49663 and re-recorded on 3/1/2001 under Volume M01, Page 8350, and subsequently assigned to Chase Bank of Texas, N.A. fka Texas Commerce Bank, National Association, as Custodian nka Chase Manhattan Bank by Assignment recorded as Book M-98, Page 29432, covering the following described real property situated in said county and state, to wit:

SEE ATTACHED

PROPERTY ADDRESS: 35088 South Chiloquin Road
Chiloquin, OR 97624

There is a default by the grantor or other person owing an obligation or by their successor in interest, 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 grantors' failure to pay when due the following sums: monthly payments of \$435.44 beginning 07/01/00; plus late charges of \$21.77 each month beginning 07/16/00; plus prior accrued late charges of \$0.00; plus advances of \$199.25; together with title expense, costs, trustee's fees and attorney's 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.

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: \$40,407.35 with interest thereon at the rate of 12.5 percent per annum beginning 06/01/00; plus late charges of \$21.77 each month beginning 07/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of \$199.25; together with 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.

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from
Bates, Charles E. and Janet M.
Grantor
to
DAVID E. FENNELL,
Trustee

File No. 7136.20651

For Additional Information:

Vonnie Nave
Northwest Trustee Services, LLC
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900

2/1A

Notice is hereby given that the beneficiary and trustee, by reason of said 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 grantor executed the trust deed, together with any interest the grantor or grantor's successors 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 reasonable fees of trustee's attorneys.

The sale will be held at the hour of 10:00 o'clock A.M., in accord with the standard of time established by ORS 187.110 on 07/20/01, at the following place: inside the 1st floor lobby of 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.

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 every other default complained of herein by tendering the performance required under the obligation or trust deed, 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 ORS 86.753.

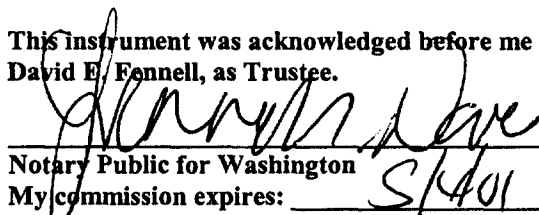
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective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



David E. Fennell - Trustee

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

This instrument was acknowledged before me on 3/15, 2001, by
David E. Fennell, as Trustee.


Notary Public for Washington

My commission expires: 5/4/01

YVONNE M. NAVE
STATE OF WASHINGTON
NOTARY --- PUBLIC
(SEAL) COMMISSION EXPIRES 5-04-01

THIS IS AN ATTEMPT TO COLLECT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

EXHIBIT "A"

PARCEL 1:

A parcel of land situated in the NE 1/4 Section 17, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the point of intersection of the Northerly line of Government Lot 7 of said Section 17 and the Northwesternly right of way line of the Williamson River-Chiloquin State Highway; thence South 35 degrees 29' 10" West along said Northwesternly right of way line of said State Highway, 150.00 feet to the point of beginning of this description; thence South 35 degrees 29' 10" West continuing along above mentioned right of way line 200.00 feet; thence South 89 degrees 23' 16" West leaving said Northwesternly right of way line of said State Highway, 269.56 feet; thence North 35 degrees 20' 10" East, 200.00 feet; thence North 89 degrees 23' 16" East 269.56 feet to the point of beginning.

PARCEL 2:

A parcel of land situated in Government Lot 7, Section 17, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Commencing at the point of intersection of the North line of said Government Lot 7 with the Northwesternly right of way line of the Williamson River-Chiloquin State Highway; thence South 35 degrees 29' 10" West on said right of way line, 150.00 feet; thence South 89 degrees 23' 14" West, 269.56 feet to the point of beginning of this description; thence South 35 degrees 29' 10" West 200.00 feet; thence South 89 degrees 23' 14" West, 100.00 feet; thence North 23 degrees 23' 19" East, 98.14 feet; thence North 46 degrees 40' 24" East 106.05 feet; thence North 89 degrees 23' 14" East, 100.00 feet to the point of beginning.

CODE 118 MAP 3507-17AO TL 1100
CODE 118 MAP 3507-17AO TL 1201

State of Oregon, County of Klamath
Recorded 03/19/01, at 3:25 p.m.
In Vol. M01 Page 10928
Linda Smith,
County Clerk Fee\$ 31.00