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ASPEN 52706

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11975



NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Maynard Herting and Luana Herting,
 husband and wife _____, as grantor, to
Aspen Title & Escrow, Inc. _____, as trustee,
 in favor of Ruth Woolhiser, Trustee for the Woolhiser Family Trust _____, as beneficiary,
 dated April 26, 2000 _____, ~~XXXX~~, recorded April 27, 2000* _____, ~~XXXX~~, in the mortgage records of
Klamath _____ County, Oregon, in ~~XXXX~~ volume No. M00 _____ at page 14739 _____, ~~XXXX~~
~~by file/instrument/microfilm/telex/other~~ (indicate which), covering the following described real
 property situated in the above-mentioned county and state, to-wit:

Lot 37, TRACT 1318, GILCHRIST TOWNSITE, in the County of Klamath, State of Oregon.
 Code 48, Map 2409-19DA, Taxlot 3200

*Re-recorded 5-11-00 in Vol. M00, Pg. 17134, in the official records of Klamath County,
 Oregon.

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:

The July 28, 2000 monthly installment in the amount of \$340.00 and each month thereafter
 plus, buyer's fees of \$40.00 plus, late charges of \$136.00.

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:

The unpaid principal balance of \$34,000.00 with interest thereon at 12% per annum from
 June 28, 2000 until paid.

— OVER —

NOTICE OF DEFAULT
AND ELECTION TO SELL

Re: Trust Deed from
Herting

Grantor

TO
Aspen Title & Escrow, Inc.

Trustee

After recording return to Name Address City
PATRICK J. KELLY
ATTORNEY AT LAW
717 N.W. 5th ST.
GRANTS PASS. OR 97526

SPACE RESERVED
 FOR
 RECORDER'S USE

STATE OF OREGON, }..

State of Oregon, County of Klamath
 Recorded 03/26/01, at 3:18 p.m.
 In Vol. M01 Page 11975
Linda Smith,
 County Clerk Fee\$ 26.00

1072



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 10:30 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on August 15, 2001, ~~XXXX~~, at the following place: Law Office of Richard Fairclo, 280 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

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 March 23, 2001, ~~XXXX~~PATRICK J. KELLY

Trustee

~~Beneficiary~~

(state which)

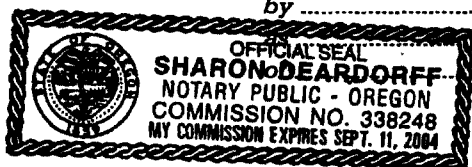
STATE OF OREGON, County of Josephine ss.

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

by _____

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

by _____



Sharon Deardorff
Notary Public for Oregon
My commission expires 9-11-2004

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