

01 APR 3 PM 2:03

Vol M01 Page 13604

NOTICE OF DEFAULT AND ELECTION TO SELL

STATE OF OREGON,

1..

RE: Trust Deed from

AARON POWLESS

4738 Sturdivant

Klamath Falls, OR 97603

To

Grantor

ASPEN TITLE & ESCROW, INC.

(NEAL G. BUCHANAN, as Successor Trustee)

Trustee

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

NEAL G. BUCHANAN

435 Oak Ave.

Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

State of Oregon, County of Klamath

Recorded 04/03/01, at 2:03 p. m.In Vol. M01 Page 13604

Linda Smith,

County Clerk Fee\$ 26.00

puty.

Reference is made to that certain trust deed made by AARON POWLESS

_____, as grantor, to
ASPEN TITLE & ESCROW, INC. (NEAL G. BUCHANAN, AS SUCCESSOR TRUSTEE)*, as trustee,
 in favor of R.A. COFFMAN, TRUSTEE, R.A. COFFMAN 1991 REVOCABLE TRUST, as beneficiary,
 dated December 3, 1993 (signed 12/22/93), recorded on JANUARY 13, 1994, in the Records of
Klamath County, Oregon, in book 8887001/volume No. M94 at page 1344, and/or as
 fee file/instrument/microfilm/copy No. 74430 (indicate which), covering the following described real property
 situated in the above-mentioned county and state, to-wit:

The West 48 feet of Lot 559, Block 120, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the
 County of Klamath, State of Oregon.

*By Appointment of Successor Trustee dated November 9, 2000 and recorded Vol. M00, Page 42365 the 22nd day
 of November, 2000, Neal G. Buchanan, Attorney at Law, was appointed Successor Trustee.

** interest in the property to Wendy Marie, aka Wendy Powless, such conveyance resulting in the entire unpaid
 balance becoming immediately due and payable pursuant to the provisions of the Trust Deed; Failure to make
 any monthly payment since the month of September, 2000, such monthly payment to be in the sum of \$200.00 per
 month

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appoint-
 ments of a successor trustee have been made, except as recorded in the Records of the county or counties in which the above-
 described real property is situated. Further, 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 grantor or other person owing an obligation, 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: Real property taxes due for the tax
 year 1995-96 and thereafter, all in violation of paragraph 5 of the Trust Deed; Failure to pay real property
 taxes resulting in proceedings pending in the Circuit Court for Klamath County Tax Foreclosure Suit No.
 99-1-FR in violation of paragraphs number 5 and 7 of the Trust Deed; Allowing a certain Judgment entered in
 Klamath County Circuit Court Case No. 9902864CV to be entered in violation of paragraph 5 of the Trust Deed;
 in allowing an additional Trust Deed to be recorded encumbering the real property, such additional Trust Deed
 having been recorded at Vol. M97, Page 39284, Mortgage Records of Klamath County, Oregon; in conveying an(**above)

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: Principal balance in the sum of \$21,511.66 together with interest
 on said sum at the rate of 8.5% per annum from September 25, 2000 until paid; All costs, fees and expenses of
 the trust including the cost of title search as well as the other costs and expenses of the trustee incurred in
 connection with or enforcing the obligation and trustee's and attorney's fees.

(OVER)

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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 grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest 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 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on August 20, 2001, at the following place: the law offices of Neal G. Buchanan,
435 Oak Avenue in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

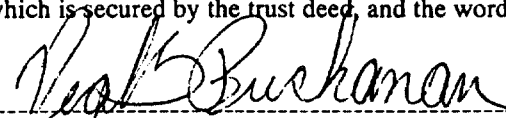
Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor 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
Aaron Powless 4738 Sturdivant Klamath Falls, OR 97603	Grantor and Beneficiary pursuant to Second Trust Deed
Wendy Powless 2335 Darrow Ave. Klamath Falls, OR 97601	Fee Owner and Party in Possession
Carter-Jones Collections, LLC P.O. Box 145 Klamath Falls, OR 97601	Judgment Lien Creditor

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 fees not exceeding the amounts provided by ORS 86.753.

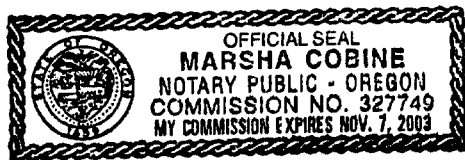
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective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

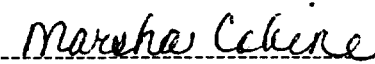
DATED April 3, 2001


NEAL G. BUCHANAN

Successor ☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Klamath ss.
This instrument was acknowledged before me on April 3, 2001
by Neal G. Buchanan
This instrument was acknowledged before me on _____
by _____
as _____
of _____




Notary Public for Oregon
My commission expires 11-7-03