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Vol M02 Page **34539**

State of Oregon, County of Klamath  
Recorded 06/13/2002 11:36 a. m.  
Vol M02, Pg 34539-41  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

## NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from Michael A. McGraw, Successor in interest to Ewauna Rowing Club, Inc.,  
an Oregon non-profit Corporation, Grantor  
TO Harry Aldridge and Audrey Aldridge, Trustees of the Aldridge Family Trust, Beneficiary

AFTER RECORDING RETURN TO:  
MacArthur & Bennett, 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 MICHAEL A. McGRAW, Successor in interest to EWAUNA ROWING CLUB, Inc., an Oregon non-profit Corporation, which has been released from all liability, as grantor, to AMERITITLE, INC., as trustee, in favor of HARRY ALDRIDGE and AUDREY, TRUSTEES OF THE ALDRIDGE FAMILY TRUST, as beneficiary, dated May 14, 1996, recorded June 11, 1996, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M96 at page 17098, as assigned to MICHAEL A. McGRAW, by instrument dated September 26, 1997, recorded September 30, 1997, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M97 at page 31885 covering the following described real property situated in said county and state, to-wit:

That portion of Lots 19 and 20 in Block 8 of ALTAMONT ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Commencing at the Northwest corner of Lot 20; thence East along the North line of said Lot 20, a distance of 101 feet; thence South on a line parallel to and 101 feet distant from the West line of said Lots 20 and 19 to the South line of said Lot 19; thence West on the South line of said Lot 19 a distance of 101 feet to the West line of said Lot 19; thence North on the West line of said Lots 19 and 20 a distance of 215.6 feet, more or less, to the point of beginning, said tract of land being the Westerly 101 feet of said Lots 19 and 20 in Block 8 of ALTAMONT ACRES.

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:

Taxes for the fiscal year 1999-2000, delinquent in the sum of \$1,395.25, plus interest.  
 Taxes for the fiscal year 2000-2001, delinquent in the sum of \$1,400.94, plus interest.  
 Taxes for the fiscal year 2001-2002, delinquent in the sum of \$1,211.29, plus interest.

Payments in the amount of \$1,000.36 per month from March 2002 to 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: \$100,830.03 as of February 19, 2002, plus interest.

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 October 21, 2002, 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                                                    |
|------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| Michael A. McGraw<br>P.O. Box 5277<br>Klamath Falls, OR 97601    | Default upon Trust Deed                                                              |
| Michael A. McGraw<br>3640 Onyx Avenue<br>Klamath Falls, OR 97603 | Default upon Trust Deed                                                              |
| Merle E. McGraw<br>1147 Hammel Road<br>Eagle Point, OR 97524     | Second Mortgage dated January 3, 2000<br>Recorded January 6, 2000<br>M00 at page 569 |

Elizabeth Chudoba  
934 Pacific Terrace  
Klamath Falls, OR 97601

Judgment in the amount of \$1,691.00 plus  
Interest, Dated July 16, 2000  
Klamath County Case No. 0001500 CV

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.

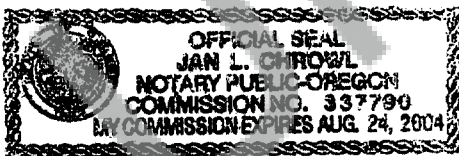
DATED: June 13, 2002.

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

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of June  
2002, by Scott D. MacArthur.

(SEAL)



Before me:   
\_\_\_\_\_  
Notary Public for Oregon  
My Commissioner Expires: \_\_\_\_\_