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Vol M02 Page 44770

**TRUSTEE'S NOTICE OF DEFAULT
AND ELECTION TO SELL**

State of Oregon, County of Klamath
Recorded 08/08/2002 2:45 p.m.
Vol M02, Pg 44770-73
Linda Smith, County Clerk
Fee \$ 36⁰⁰ # of Pgs 4

Tom C. Weeks, as grantor, made, executed and delivered to Aspen Title & Escrow, Inc., as trustee, to secure the performance of certain obligations including the payment of the principal sum of \$35,000, in favor of George B. Hutchinson, Trustee of the Earthwatcher Loving Trust, as beneficiary, that certain trust deed dated September 2, 1997, and recorded September 26, 1997, in the official records of Klamath County, Oregon, in Volume M-97, Page 31461, covering the following described real property situated in said county:

See Exhibit "A" attached.

This also includes the 1975 Flamingo Mobile Home on the property - Key No. M51393 and Vehicle I.D. # 70F3UOF11806556.

There is a default by the grantor owing the obligations in that the grantor has failed to pay, when due, the following sums thereon:

The entire sum, principal of \$35,000 and interest, is now fully due and payable, plus a late fee of \$17.50 per month for any payment not received within 15 days of its due date.

Grantor's failure just described is the default for which the foreclosure mentioned below is made, in addition to Grantor's failure to pay real property taxes for tax years 1999-2000, 2000-2001 and 2001-2002. Grantor has also failed to pay the personal property taxes for tax years 2001-2002.

By reason of said default, the beneficiary has declared all obligations secured by said trust deed immediately due, owing and payable, said sums being the following, to wit:

\$35,000, together with interest thereon at the rate of 12% per annum from April 15, 2002, until paid, plus a late fee of \$17.50 for any payment not received within 15 days of its due date, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed.

36 *
Trustee's Notice of Default and
Election to Sell -1-

LAW OFFICES OF
DAVIS, GILSTRAP, HEARN, SALADOFF & SMITH
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455

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Notice hereby is given that the undersigned, by reason of said default, has elected and hereby does elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Section 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 a reasonable charge by the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 10:00 o'clock, a.m., Pacific Standard Time, as established by Section 187.110 of Oregon Revised Statutes, on January 6, 2003, at the following place: The offices of Aspen Title & Escrow, Inc., 525 Main Street, Klamath Falls, OR 97601.

Other than as shown of record, the trustee has no 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

Tom C. Weeks P O Box 783 Merrill OR 97633	Fee Simple, Grantor
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Klamath County Tax Collector Klamath County Courthouse 316 Main Street Klamath Falls, OR 97601	Warrant No's. 99-243-2001761 M51393
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Klamath Irrigation District 6640 KID Lane Klamath Falls OR 97603	Lienholder
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Forest Products Federal Credit Union 200 N 7 th Street Klamath Falls, OR 97601	Judgment Lienholder
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Trustee's Notice of Default and
Election to Sell -2-

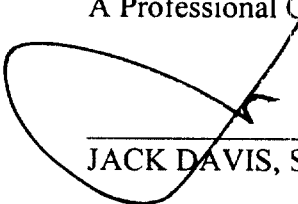
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44772

Notice is further given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred), together with costs, trustee's and attorney's fees, at any time prior to five days before the date set for said sale.

DATED this 6th day of August, 2002.

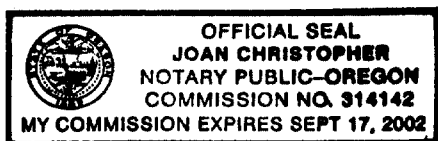
DAVIS, GILSTRAP, HEARN,
SALADOFF & SMITH
A Professional Corporation

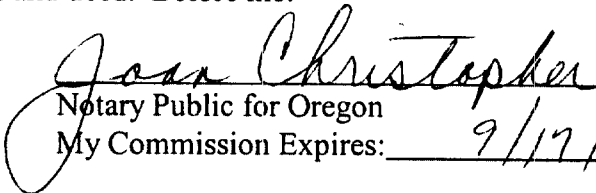


JACK DAVIS, Successor Trustee

STATE OF OREGON)
) §
COUNTY OF JACKSON)

Personally appeared the above-named JACK DAVIS and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:





Notary Public for Oregon
My Commission Expires: 9/17/02

Trustee's Notice of Default and
Election to Sell -3-

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Exhibit A

A portion of Government Lot 15, Section 16, Township 41 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point in the Southeasterly right of way line of the County Road known as the Depot Road, extending from the City of Malin, Oregon, to the Great Northern Railroad Depot, which point of beginning bears South 89° 59' East 296.4 feet and South 256.9 feet and North 71° 00' East a distance of 308.4 feet from the brass cap monument making the Northeast corner of Lot 14, Section 16, Township 41 South, Range 12 East of the Willamette Meridian; thence South, parallel to the West line of Lot 15 of said Section 16, a distance of 176.31 feet; thence North 89° 34' East a distance of 132.64 feet, more or less to the Southwest corner of that certain parcel of land deeded to Clifford D. King and recorded in Klamath County Deed Records, Volume 151 at Page 122, as it is now fenced and occupied; thence North 1° 23' 30" West along the fence line marking the Westerly boundary of the King property a distance of 217.8 feet to the Southwesterly line of the said Depot Road; which point is the Northwesterly corner of said King property as fenced and occupied; thence South 71° 00' West a distance of 134.6 feet, more or less, to the point of beginning.