

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by BART A. FLEMING and PAMELA K. FLEMING, Grantor, KLAMATH COUNTY TITLE COMPANY as the trustee, and THE JEANNETTE JACKSON TRUST, is the beneficiary under that certain trust deed dated November 5, 1991, and recorded November 6, 1991, in Volume No. M91 page 23228, Microfilm Records of Klamath County, Oregon, covering the following-described real property:

That portion of Section 31, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows:

Government Lot 6, less 9.4 acres more particularly described in Deed Volume M-77 on page 12718, records of Klamath County, Oregon.

Also that portion of the NW1/4 SW1/4 and Lot 5 of said Section 31 which bears North 1466.33 feet from the Southwest corner thereof; then N. 87°30'45" E. to the West meander line of Lost River.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default of which the foreclosure is made is grantor's failure to pay when due the following sums:

Payments in the amount of \$15,776.85 due April 1, 2005.

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:

\$64,001.60 plus interest in the amount of \$16.371 per diem from June 8, 2005.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 23, 2006, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the office of Justin Throne, 280 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 to be due had no default occurred) and by curing any other

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JUSTIN E. THRONE
ATTORNEY AT LAW

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Returned @ Counter

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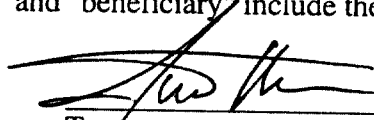
principal as would not then to be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums of tendering the performance necessary to cure 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.

We are attempting to collect a debt and any information we obtain will be used for that purpose. The debt described in the Notice of Sale is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification. If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor.

Written requests should be addressed to: Justin Throne, Attorney at law, 280 Main Street, Klamath Falls OR 97601.

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 which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: 9/8/05



Trustee