

67040

George C. Weinmiller

AMENDED

NOTICE OF DEFAULT AND ELECTION TO SELL

Page 18657

Reference is made to that certain trust deed made by Gary A. Beauchamp and Catherine D. Beauchamp, husband and wife, as grantor, to Transamerica Title Insurance Co., as trustee, in favor of First Interstate Bank of Oregon, N.A., fka First National Bank of Oregon, as beneficiary, dated May 22, 1978, recorded May 26, 1978, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M78, at page 11279, or as fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in said county and state, to-wit:

ELECTION TO SELL
NOTICE OF DEFAULT AND ELECTION TO SELL

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 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 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:

Monthly installments of \$252.76 each, commencing with the payment due April 1, 1986 and continuing each month until this trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$69.01 as of September 16, 1986 and further late charges of \$10.11 on each delinquent payment thereafter; plus all fees, costs and expenses associated with this foreclosure, all sums expended by beneficiary to protect the property or its interest therein during the pendency of this proceeding, evidence that taxes are paid as provided by terms of the Trust Deed, and less the reserve account balance of \$195.69.

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:

The sum of \$20,732.21 with interest thereon at the rate of 8.75% per annum from March 1, 1986, until paid; plus all fees, costs and expenses associated with this foreclosure, all sums expended by beneficiary to protect the property or its interest therein during the pendency of this proceeding, evidence that taxes are paid as provided by terms of the Trust Deed, and less the reserve account balance of \$195.69.

THIS DOCUMENT IS BEING RECORDED TO REPLACE NOTICE OF DEFAULT AND ELECTION TO SELL RECORDED September 24, 1986 in Book M86, Page 17315 Klamath County Records.

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 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 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 compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 1:00 o'clock, PM, in accord with the standard of time established by ORS 187.110 on March 20, 1987, at the following place: front door in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.

A portion of Lots 6 and 7, Block 106, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the intersection of the West line of California Avenue with the Southwesterly line of Gobi Street; thence Northwesterly along the Southwesterly line of Gobi Street 44 feet; thence Southwesterly 107 feet, more or less, to a point on a line radial to the curve of California Avenue at a point 28.35 feet South from the intersection of the West line of California Avenue with the Southwesterly line of Gobi Street, said point being 126.5 feet Westerly from the Westerly line of California Avenue along said radial line; thence Easterly along said radial line 126.5 feet, more or less to the Westerly line of California Avenue; thence Northerly along the West line of California Avenue a distance of 28.35 feet to the point of beginning.

JPC28

THIS DEED OF TRUST IS MADE THIS 10th DAY OF OCTOBER 1986, between the undersigned, GEORGE C. REINMILLER, and the undersigned, GARY A. BEAUCHAMP and CATHERINE D. BEAUCHAMP, as Grantors, and the undersigned, TRANSAMERICA TITLE INSURANCE CO., as Trustee, for the purpose of securing the payment of the sum of \$100,000.00, to be paid by the Grantors to the Trustee, in accordance with the terms and conditions set forth in the Trust Deed, which is attached hereto and incorporated herein by reference.

Other than as shown of record, neither the said beneficiary nor 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

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 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 ORS 86.753.

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: October 10, 1986

GEORGE C. REINMILLER-Successor-Trustee

XXXXXX

XXXXXX

(State which)

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,

County of Multnomah

ss.

The foregoing instrument was acknowledged before me this October 10, 1986, by

GEORGE C. REINMILLER

(ORS 194.570)

STATE OF OREGON, County of

ss.

The foregoing instrument was acknowledged before me this

, 19, by

president, and by

secretary of

a corporation, on behalf of the corporation.

(SEAL)

Notary Public for Oregon

My commission expires: 2-22-87

Notary Public for Oregon

My commission expires:

(SEAL)

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

STEVENS-NESS LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From

Gary A. Beauchamp and

Catherine D. Beauchamp

Grantor

To

Transamerica Title

Insurance Co.

Trustee

AFTER RECORDING RETURN TO

George C. Reinmiller

521 SW Clay

Portland, OR 97201

SPACE RESERVED
FOR
RECORDERS USE

Fee: \$9.00

STATE OF OREGON

County of Klamath

ss.

I certify that the within instrument was received for record on the 13th day of October, 1986, at 2:57 o'clock P.M., and recorded in book/reel/volume No. 1136 on page 18657, or as fee/file/instrument/microfilm/reception No. 67040, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

By: J. Smith Deputy