

ON Klamath 69112' OR 31601  
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 1991 0 1000000

AMENDED

Vol. m91 Page 6120

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by DAVID EUGENE DEIDRICH and TERRY LYNN DEIDRICH, Husband and Wife, as grantor, to MOUNTAIN TITLE COMPANY, INC., as trustee, in favor of FINLEY H. MALLORY and JEANETTE M. MALLORY, Husband and Wife, as beneficiary, dated May 17, 1984, recorded May 18, 1984, in the mortgage records of Klamath County, Oregon, in book 766 / reel / volume No. M84 at page 8248, or as fee / fire / instrument / microfilm / reception No. 36757 (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 2, Block 7, FIRST ADDITION TO KENO WHISPERING PINES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. TOGETHER WITH a 1978 Eaton Park Mobile Home, Serial #11809195, License #X151986, which is firmly affixed to the land described herein.

- \* An Appointment of Successor Trustee was recorded at Volume M87, page 9806, a further Appointment of Successor Trustee was recorded at Volume M90, page 1673, and an additional Appointment of Successor Trustee was recorded at Volume M91, page , appointing Neal G. Buchanan, Attorney at Law, as Successor Trustee.
- \*\*\* The beneficiaries' interest was assigned by a certain instrument recorded at Volume M88, page 19951, records of Klamath County, Oregon.

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:

1. Failure to pay when due the sums necessary to maintain insurance on the buildings as required by paragraph 4 of the Trust Deed.
2. Failure of the grantor to pay a portion of (\$78.00) the payment due July 17, 1990, and failure of the grantor to pay the entire payment (\$478.00) due August 17, 1990 and thereafter.

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 \$42,209.30 together with interest thereon at the rate of 10% per annum from November 8, 1990, together with unpaid interest in the sum of \$1,026.23.

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 grantor of the trust deed, together with any interest the grantor or grantor's 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, P.M., in accord with the standard of time established by ORS 187.110 on August 9, 1991 at the following place: First Interstate Bank Building, 601 Main St., Suite 215 in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.

91 APR 4 PM 3 47



## EXHIBIT A

## AMENDED NOTICE OF DEFAULT AND ELECTION TO SELL

Terry Lynn Deidrich  
P.O. Box 78  
Keno, Oregon 97627

Decree of Dissolution of Marriage  
Filed July 17, 1990  
Klamath County Circuit Court Case 9001768CV

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal G. Buchanan the 4th day  
of April A.D., 19 91 at 3:47 o'clock PM., and duly recorded in Vol. M91,  
of Mortgages on Page 6120

Evelyn Biehn County Clerk

FEE \$18.00

By Carline M. Mendenhall