

ON

28719

SECOND AMENDED
NOTICE OF DEFAULT AND ELECTION TO SELL

Vol 179 Page 7837

Reference is made to that certain trust deed made by DAVID EUGENE DEIDRICH and TERRY LYNN DEIDRICH, Husband and Wife

MOUNTAIN TITLE COMPANY, INC., as grantor, to

in favor of FINLEY H. MALLORY and JEANETTE M. MALLORY, Husband and Wife, as trustee, ***

dated May 17, 1984, recorded May 18, 1984, in the mortgage records of

Klamath County, Oregon, in book/leaf/volume No. M84 at page 8248, or as fee/file/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 19051, 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 September 3, 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.

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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
Interstate Pump Co., Inc. 7209 South 6th Street Klamath Falls, Oregon	Judgment entered July 25, 1985 in Klamath County Circuit Court Case 85-106TJ Amount: \$95.95 plus interest
Carter-Jones Collection Service, Inc. 1143 Pine Street Klamath Falls, Oregon	Judgment entered March 27, 1987 in Klamath County District Court Case 87-55TJ Amount: \$841.20 plus interest
Southern Oregon Credit Service, Inc. 841 Stewart Ave., Suite 11 Medford, Oregon	Judgment entered March 6, 1987 Klamath County Circuit Court Case 87-58TJ Amount: \$1,015.45 plus interest

See continuation on attached Exhibit A incorporated herein by reference as if fully set forth.

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 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: April 25, 1991

Successor Trustee Beneficiary (state which)

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

STATE OF OREGON, } ss.
County of Klamath }

This instrument was acknowledged before me on April 25, 1991, by

Neal G. Buchanan, Successor Trustee

Vivienne I. Husted
VIVIENNE I. HUSTEAD

NOTARY PUBLIC FOR OREGON

(SEAL) My Commission Expires 4-11-93

STATE OF OREGON, } ss.
County of _____ }

This instrument was acknowledged before me on _____, 19____, by

as _____ of _____

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

David Eugene Deidrich and
Terry Lynn Deidrich

Grantor

To

Mountain Title Company, Inc.

Trustee

AFTER RECORDING RETURN TO

Neal G. Buchanan
601 Main St., Suite 215
Klamath Falls, OR 97601

STATE OF OREGON,

County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____,

at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on

page _____ or as fee/file/instrument/microfilm/reception No. _____

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By _____ TITLE Deputy

SPACE RESERVED FOR RECORDER'S USE

7839

EXHIBIT A

SECOND 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, Attorney the 29th day
of April A.D., 19 91 at 9:34 o'clock A M., and duly recorded in Vol. M91,
of Mortgages on Page 7837.

Evelyn Biehn County Clerk

By Bonnie A. Letoch

FEE \$18.00