

OC

35384

Vol. 91 Page 19936

AMENDED NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Velma Juaneta WorthingtonWestern Pioneer Title Co., as grantor, toin favor of Bennie J. Schultz and Jean Schultz, as trustee,dated February 19, 1988, recorded March 8, 1988, in the mortgage records ofKlamath County, Oregon, in Book 188 / volume No. M88 at page 3233, of~~the/this instrument, and/or any/any other instrument No. XXXXXXXXXXXX (indicate which), covering the following described real property situated in said county and state, to-wit:~~

See Exhibit A attached.

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.

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:

Principal: \$744.47
Interest: \$427.11

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:

\$11,287.45

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 Oregon Revised Statutes Sections 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 10:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on February 3, 1992, at the following place: front entrance of the Klamath County Courthouse in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee for said sale.

91 OCT 1 AM 11 32

1800

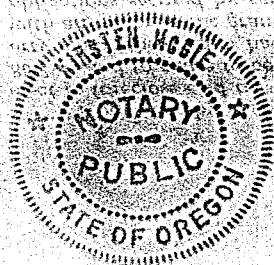
19937



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 Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 Section 86.753 of Oregon Revised Statutes.

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: September 23, 1991

Trustee

~~Beneficiary~~

(State which)

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

(ORS 194.570)

STATE OF OREGON,

County of Lane

STATE OF OREGON, County of } ss.

The foregoing instrument was acknowledged before me this

The foregoing instrument was acknowledged before
me this September 23, 1991, by

David B. Cook

, 19____, by

, president, and by

secretary of

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon

Notary Public for Oregon

(SEAL)

My commission expires: 2-23-94

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

Velma Juaneta Worthington

Grantor

To

Western Pioneer Title Co.

Trustee

AFTER RECORDING RETURN TO

David B. Cook

101 E. Broadway, Suite 200

Eugene, OR 97401

SPACE RESERVED
FOR
RECORDER'S USE

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.

NAME

TITLE

By

Deputy

EXHIBIT A

The following described real property situate in Klamath County, Oregon:

PARCEL 1: A tract of land situate in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 24 South Range 9, East of the Willamette Meridian, Klamath County, Oregon.

Commencing at a point on the Westerly edge of the Highway #97 right of way 856.6 feet more or less East of the N.W. Corner of Section 31, Township 24 South, Range 9 E. W. M., thence in a Northerly direction along the Westerly edge of said highway right of way, 70 feet to the true point of beginning; thence in a westerly direction at right angles to said Highway, 240 feet; thence in a southerly direction, parallel with said highway, 107 feet; thence in a Westerly direction, at right angles to said highway, 100 feet; thence in a Northerly direction, parallel with said highway, 157 feet; thence in an Easterly direction at right angles to said highway to the Westerly edge of said highway; thence Southerly along the Westerly edge of said Highway, 50 feet to the true point of beginning.

PARCEL 2: A tract of land situate in SW $\frac{1}{4}$ SW $\frac{1}{4}$, in Section 30, and tract of land situate in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 24 South Range 9, East of the Willamette Meridian, Klamath County, Oregon;

Beginning at the Southwest corner of Section 30, thence E. 520 feet and 3 inches to the point of beginning; thence Northerly 50 feet; thence Easterly 100 feet to the section line between Sections 30 and 31; thence Southerly 50 feet; thence Westerly 100 feet to Section line and place of beginning. Said tract parallels Highway 97 on the East and West.

ALSO, Beginning at a point 877.6 feet East of the Northwest corner of Section 31; thence in a Southwesterly direction along the West side of the right-of way of highway 97, 105 feet; thence Northwesterly at right angles to said highway 120 feet to the point of beginning; thence Southerly parallel with said highway 50 feet; thence Northwesterly at right angles to said highway 100 feet; thence Northerly parallel with said Highway 50 feet; thence Easterly at right angles 100 feet to point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of David B. Cook the 1st day
of Oct. A.D., 19 91 at 11:32 o'clock A M., and duly recorded in Vol. M91
of Mortgages on Page 19936

Evelyn Biehn County Clerk

By Pauline Nielsen

FEE \$18.00