

OK 38851

AMENDED TRUSTEE'S NOTICE OF SALE (after release from stay) by DAVID EUGENE DEIDRICH and

Reference is made to that certain trust deed made by 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/reel/volume No. M84 at page 8248, 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.

** see continuation on reverse
*** see continuation on reverse

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 for which the 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.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on June 27, 1991, at the hour of 1:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, at First Interstate Bank Building, 601 Main St., Ste. 215, in the City of Klamath Falls, County of Klamath, State of Oregon; however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on October 31, 1991.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 12, 1991, at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 at First Interstate Bank Building, 601 Main St., Ste. 215, State of Oregon, (which is the new date, time and place set for said sale) 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 of 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 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 November 5, 1991

David B. Buchanan
Successor Trustee

State of Oregon, County of _____
I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale as amended.
Attorney for said Trustee

** 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.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal G. Buchanan the 19th day
of Dec. A.D., 19 91 at 12:55 o'clock P. M., and duly recorded in Vol. M91,
of Mortgages on Page 26480.

Evelyn Biehn County Clerk

FEE \$13.00

By Pauline Mullendore

Return: Neal G. Buchanan
601 Main St. #215
Klamath Falls, Or. 97601