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Vol. 94 Page 17160

AMENDED NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Rodney D. Lang & Jerrolyn A. Lang, husband and wife, as grantor, to Aspen Title & Escrow, INC, as trustee, in favor of Nicholas V. Castriotta and Jacalyn F. Castriotta, as beneficiary, dated July 2, 1993, recorded July 6, 1993, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M93 at page 16101, or as fee/file/instrument/reception No. 64114 (indicate which), covering the following described real property situated in the above-mentioned county and state, to-wit:

The E $\frac{1}{2}$ of Tract No. 17, The Resubdivision of Tract 25 to 32 of Altamont Ranch Tracts, in the County of Klamath, State of Oregon. Excepting Therefrom that portion taken by Klamath County for the widening of Bisbee Street by instrument recorded July 1, 1965 in Book 362 at Page 563, Deed Records.

****THE ORIGINAL DATE OF SALE WAS EXTENDED UNTIL THE RELIEF OF STAY FROM BANKRUPTCY WAS SIGNED ON MAY 26, 1994.**

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 situated, further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the 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 the trust deed, or by the 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: Balance of monthly installments of \$398.00 due for September of 1993 and at which time all sums of principal and interest then outstanding shall become immediately due and payable and subsequent installments of like amounts; subsequent amount for assessments due under the terms and provisions of the Note and Trust Deed.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit: \$55,900.00 plus interest and late charges, thereon from September 1, 1993 at the rate of Ten(10%) percent per annum all due and payable on September 1, 1993 and any and all property taxes owing and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

— OVER —

NOTICE OF DEFAULT
AND ELECTION TO SELL

Re: Trust Deed from

Grantor

TO

Trustee

After recording return to (Name, Address, Zip):

ASPEN TITLE & ESCROW, INC

ATTN: FORECLOSURE DEPARTMENT

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

17161

Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the 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 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 successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the 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.

The sale will be held at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on July 11, 1994, at the following place: Front entry to Aspen Title & Escrow, INC, located at 525 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Other than as shown of record, neither the beneficiary nor the 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 this property, except:

NAME AND LAST KNOWN ADDRESS

NATURE OF RIGHT, LIEN OR INTEREST

Rodney D. Lang and Jerrolyn A. Lang
3445 Anderson Avenue
Klamath Falls, Oregon 97603

Grantor

Klamath County
Pure Project
403 Pine Street
Klamath Falls, Oregon 97601

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 the 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 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED May 31, 1994

Trustee

~~BENEFICIARY~~

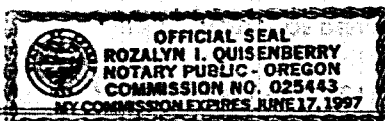
(state which)

STATE OF OREGON, County of Klamath ss.

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

by _____

This instrument was acknowledged before me on May 31, 1994,

by ANDREW A. PATTERSONas ASSISTANT SECRETARYof ASPEN TITLE & ESCROW, INC

My commission expires

Notary Public for Oregon

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co the 31st day of May A.D. 19 94 at 3:46 o'clock P.M., and duly recorded in Vol. M94 of Mortgages on Page 17160.

FEE \$15.00

Evelyn Biehn County Clerk

By Pauline Mullenbore