

97494

04-03-95P03:27 RCVD

Vol. 1195 Page 8011
09-FI-4101 (0014) TANSI**AMENDED TRUSTEE'S NOTICE OF SALE**
(after release from stay)
Trustee No.: 09-FI-4101

Reference is made to that certain trust deed made by GEORGE BERTHEL PEDEN AND MARTHA BRADSHAW PEDEN, HUSBAND AND WIFE, as grantor, to KLAMATH COUNTY TITLE COMPANY, as trustee, in favor of FIRST NATIONAL BANK OF OREGON N/K/A FIRST INTERSTATE BANK OF OREGON, as beneficiary, dated August 2, 1974, recorded August 7, 1974, in the mortgage records of KLAMATH County, Oregon, in Book M74, Page 9625, covering the following described real property situated in said county and state, to-wit:

LOT 13 OF SOUTHSORE, ACCORDING TO THE OFFICIAL MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

The street address or other common designation, if any, of the real property described above is purported to be:

170 SOUTHSORE LANE
KLAMATH FALLS OR 97601

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

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:

Payments:				
3	payments at \$	475.59 each;	\$	1,426.77
14	payments at \$	466.36 each;	\$	6,579.04
(11-01-93	through 03-17-95)			
Late Charges:			\$	
Prior accumulated late charges:			\$	
Beneficiary Advances (with interest if applicable)			\$	2,501.50
TOTAL:			\$	10,457.31

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other obligations as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. In addition, the beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens, property taxes, and hazard insurance premiums.

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:

UNPAID PRINCIPAL BALANCE OF \$24,528.59, AS OF 10-01-93, PLUS, FROM THAT DATE UNTIL PAID, ACCRUED AND ACCRUING INTEREST AT THE RATE OF 9.500% PER ANNUM, PLUS ANY LATE CHARGES, ESCROW ADVANCES, FORECLOSURE COSTS, TRUSTEE FEES, ATTORNEY FEES, SUMS REQUIRED FOR PROTECTION OF THE PROPERTY AND ADDITIONAL SUMS SECURED BY THE DEED OF TRUST.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on August 10, 1994, at the hour of 10:00 A.M., in accord with the standard of time established by ORS 187.110, at THE MAIN ENTRANCE TO THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET, 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 March 15, 1995.

WHEREFORE, notice hereby is given that the undersigned trustee will, on April 14, 1995, at the hour of 10:00 A.M., in accord with the standard of time established by ORS 187.110, at FRONT ENTRANCE TO ASPEN TITLE & ESCROW, INC., 525 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of Oregon, (which is the new date, time and place set for 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 by him of the 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: March 17, 1995

INTERSTATE TRUSTEE SERVICES CORPORATION
N/K/A REGIONAL TRUSTEE SERVICES CORPORATION
Successor Trustee

BY Aleta Lavandier
ALETA LAVANDIER, PRESIDENT
1201 THIRD AVENUE, SUITE 2730
SEATTLE, WA 98101 (800) 347-2550

STATE OF WASHINGTON

COUNTY OF KING

}
} ss.
}

I certify that I am an authorized representative of trustee, and the foregoing is a complete and exact copy of the original trustee's notice of sale as amended.

Authorized Representative of Trustee

8013
09-FI-4101 (0003) AFFTANS1
REGIONAL TRUSTEE SERVICES CORPORATION
2730 WASHINGTON MUTUAL TOWER
1201 THIRD AVENUE
SEATTLE, WA, 98101
ATC # 04041474

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE
STATE OF Washington, COUNTY OF KING } ss.

I, DEBORAH L. KAUFMAN, being first duly sworn,
depose, and say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Washington, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the attached Trustee's Amended Notice of Sale by mailing a copy thereof by registered or certified mail to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

MARTHA BRADSHAW PEDEN
170 SOUTHSORE LANE
KLAMATH FALLS, OR, 97601

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Said Amended Trustee's Notice of Sale was given in compliance with ORS 86.755(6), within 30 days after release from a stay of the foreclosure proceedings, and the above named persons include all of those persons listed in ORS 86.740 and ORS 86.750(1).

Each of the notices so mailed was certified to be a true copy of the original amended notice of sale by an authorized representative of the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at SEATTLE, Washington, on March 23, 1995, which was within 30 days after release from a stay of the foreclosure proceeding set forth therein.

8014

09-FI-4101 (0004) AFFTANS2

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

REGIONAL TRUSTEE SERVICES CORPORATION
By: L Deborah L. Kaufman

Subscribed and sworn to before me on March 23, 1995.

(SEAL)

REBECCA L. PHILLIPS
STATE OF WASHINGTON
NOTARY--- PUBLIC
MY COMMISSION EXPIRES 2-15-98

Rebecca L. Phillips
Notary Public for Washington

My commission expires: 2-15-98

EXHIBIT A:

TSG NOTIFY

FIRST INTERSTATE BANK OF OREGON F/K/A
FIRST NATIONAL BANK OF OREGON
KLAMATH FALLS BRANCH
601 MAIN STREET
KLAMATH FALLS, OR 97601

MARK STUNTEBECK
1838 KIMBERLY DRIVE
KLAMATH FALLS, OR 97603

FIRST INTERSTATE BANK
P.O. BOX 608
KLAMATH FALLS, OR 97603

DONNA JEAN GIBSON
C/O MICHAEL DYE, ATTY.
456 STATE STREET, SUITE 200
SALEM, OR 97301

U.S. SMALL BUSINESS ADMINISTRATION
222 S.W. COLUMBIA STREET, SUITE 500
PORTLAND, OR 97201-6605

FIRST INTERSTATE BANK OF OREGON, N.A.
C/O MARTIN E. HANSEN, ATTY.
1201 N.W. WALL STREET, SUITE 300
BEND, OR 97701

MERLE WEST MEDICAL CENTER, INC.
C/O JAMES UERLINGS, ATTY.
110 N. 6TH STREET, #201
KLAMATH FALLS, OR 97601

PARTIES IN POSSESSION
170 SOUTHSORE LANE
KLAMATH FALLS, OR 97601

DR. JERRY DARM, SUCCESSOR PERSONAL REP. TO
THE ESTATE OF GEORGE B. PEDEN
C/O CRAIG D. CURTRIGHT, ATTY.
1 S.W. COLUMBIA, #555
PORTLAND, OR 97258

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co the 3rd day
of April A.D., 19 95 at 3:26 o'clock P M., and duly recorded in Vol. M95
of Mortgages on Page 8011.

FEE \$30.00

By Bernetha G. Jetch County Clerk