

97 SEP 11 AM 37

MTC 39262

TRUSTEE'S AMENDED NOTICE OF DEFAULT
AND ELECTION TO SELL

DALE L. ADKINS and LONA K. ADKINS, as grantor, made, executed and delivered to Mountain Title Company, as trustee, to secure the performance of certain obligations including the payment of the principal sum of \$74,000.00 in favor of Beneficial Oregon, Inc., dba Beneficial Mortgage Co., as beneficiary, that certain trust deed dated August 16, 1995, and recorded August 21, 1995, in the official records of Klamath County, Oregon, in Volume M95, Page 22400, covering the following described real property situated in said county:

Parcels 1 and 2 of Land Partition #28-94 located in the NE 1/4 of Section 21, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH a 1997 Shelb HT Mobile Home, X-144750; VIN 7014NS7279.

There is a default by the grantor owing the obligations in that the grantor has failed to pay, when due, the following sums thereon:

Monthly installments of \$948.48 per month, beginning with the installment due May 16, 1996, which were due on the 16th day of each month thereafter.

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the foreclosure mentioned below is made.

By reason of said default, the beneficiary has declared all obligations secured by said trust deed immediately due, owing and payable, said sums being the following, to wit:

74,691.71, together with interest thereon at the rate of 12.750% per annum from April 17, 1996, until paid, plus a late fee of 5% of any payment not received within 15 days of its due date, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed.

Notice hereby is given that the undersigned, by reason of said default, has elected and hereby does elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Section 86.705 to 86.795, and to cause to be

Amended Notice of Default

Election to Sell - Page -1-

LAW OFFICES OF
DAVIS, GILSTRAP, HARRIS, HEARN & WELTY

A Professional Corporation

515 EAST MAIN STREET

ASHLAND, OREGON 97520

(541) 482-3111 FAX (541) 488-4455

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 a reasonable charge by 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., Pacific Standard Time, as established by Section 187.110 of Oregon Revised Statutes, on February 9, 1998, at the following place: Amerititle, 222 S. Sixth Street, Klamath Falls, OR 97601.

The sale was originally scheduled for February 26, 1997, at 2:00 o'clock, p.m.; however, the sale was stayed in and by virtue of the filing by the Grantors of Petitions under Chapter 13 of the United States Bankruptcy Code (11 U.S.C. §1301 et. seq) in the United States Bankruptcy Court for the District of Oregon: In the Matter of Dale Lynn Adkins, Case No. 697-61454-aer 13 and In the Matter of Lona Kristine Adkins, Case No. 697-61341-aer13. On August 11, 1997, the Bankruptcy Court ordered that relief from stay be granted to Beneficial Oregon, Inc., dba Beneficial Mortgage Co., with respect to Dale Lynn Adkins, and on August 28, 1997, the Bankruptcy Court confirmed the Chapter 13 plan of Lona Kristine Adkins which plan provides for the surrender of the ownership or other interest of Lona Kristine Adkins in the property to Beneficial Oregon, Inc., dba Beneficial Mortgage Co.

Other than as shown of record, the trustee has no 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:

<u>NAME AND LAST KNOWN ADDRESS</u>	<u>NATURE OF RIGHT, LIEN OR INTEREST</u>
DALE L. ADKINS 5806 Round Lake Road Klamath Falls OR 97601	Grantor, Fee Simple
LONA K. ADKINS 5575 Pioneer Road Medford OR 97501	Grantor, Fee Simple. Judgment Creditor

Amended Notice of Default

Election to Sell - Page -2-

DAVIS, GILSTRAP, HARRIS, HEARN & WELTY

LAW OFFICES OF
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455

JOE KOLLMAN
1360 S. Sixth Street
Klamath Falls OR 97601

Jr. Trust Deed Holder

HIGHLAND COMMUNITY FEDERAL
CREDIT UNION
3737 Shasta Way
Klamath Falls OR 97601

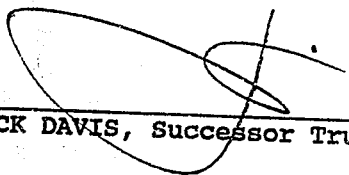
Judgment Lienholder

KLAMATH COUNTY TAX COLLECTOR
KLAMATH COUNTY COURTHOUSE
P O BOX 340
KLAMATH FALLS OR 97601

Personal Property Tax Warrant

Notice is further given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred), together with costs, trustee's and attorney's fees, at any time prior to five days before the date set for said sale.

DATED: 9/8/97


JACK DAVIS, Successor Trustee

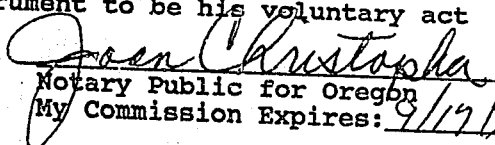
STATE OF OREGON

COUNTY OF JACKSON

§

Personally appeared the above named JACK DAVIS and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:




Notary Public for Oregon
My Commission Expires: 9/17/98

Amended Notice of Default
Election to Sell - Page -3-

DAVIS, GILSTRAP, HARRIS, HEARN & WELTY

LAW OFFICES OF
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 11th day
of September A.D., 19 97 at 11:37 o'clock A M., and duly recorded in Vol. M97
of Mortgages on Page 29796

FEE \$20.00

By Bernetha G. Letsch, County Clerk
Kollman Ross