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VOL 1198 Page 29398

AMENDED  
NOTICE OF DEFAULT AND ELECTION TO SELLReference is made to that certain trust deed made by Sharon K. Brown,

Mountain Title Company of Klamath County, AmeriTitle as successor, its trustee,  
 in favor of Freda A. Smelcer, as beneficiary,\*\*  
 dated October 15, 1991, recorded October 18, 1991, in the mortgage records of  
Klamath County, Oregon, in book/reel/volume No. M91 at page 21806, or as  
 fee/file/instrument/microfilm/reception No. 36248 (indicate which), covering the following described real  
 property situated in the above-mentioned county, id state, to-wit:

"Lots 1 through 7, inclusive Block 45, BOWNE ADDITION TO BONANZA,  
 according to the official plat thereof on file in the office of  
 the County Clerk of Klamath County, Oregon."

\*\*by Assignment of Trust Deed dated 9-8-92 and recorded December 3, 1992 at  
 Vol M92, page 28662 the beneficiary's interest was assigned to  
 Saint Barnabas Episcopal Church

\*by Appointment of Successor Trustee dated 7-2-98 and recorded July 8, 1998  
 at Vol M98, page 24104 Neal G. Buchanan, Attorney at Law, was appointed  
 successor trustee.

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(1).

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: 1) arrearages in the making of scheduled payments totaling \$7650  
 (an amount in excess of the remaining unpaid balance), the first of such  
 missed payments being the payment due 5-15-93; 2) real property taxes for  
 the tax years 1994-95 and thereafter paid by the beneficiary to date in  
 the sum of \$621.94

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:

\$6329.36 plus interest at the rate of 8% per annum from 11-10-97 until  
 paid; plus costs and expenses of the trustee pursuant to the terms of  
 the Trust Deed

— OVER —

<b>AMENDED NOTICE OF DEFAULT AND ELECTION TO SELL</b>	
This Trust Deed from:	
to:	
Grantor	
TO:	
Trustee	
After recording refer to Glens, Addition, Lot:	
Neal G. Buchanan	
435 Oak Ave.	
Klamath Falls, Or. 97601	

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 date _____, or as fee/file/instru- ment/microfilm/reception No. _____, Record of Mortgages of said County.	
Witness my hand and seal of County affixed.	
Name _____	Date _____
By _____ Deputy _____	

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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 compensation of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The sale will be held at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on December 18, 1998, at the following place: 435 Oak Avenue, 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 the property, except:

## NAME AND LAST KNOWN ADDRESS

## NATURE OF RIGHT, LIEN OR INTEREST

Sharon K. Brown  
3716 Bolding Road  
Flowery Branch, Georgia 30542

grantor and fee interest holder

Southern Oregon Credit Service, Inc.  
P.O. Box 4070  
Medford, Oregon 97501

judgment lien creditor  
Klamath County Circuit Court  
Case No. 9702758CV

Hurley State Bank/Fred Meyer  
P.O. Box 7024  
Sioux Falls, SD 57117-7024

judgment lien creditor  
Klamath County Circuit Court  
Case No. 9704857CV

Derrick E. McGavic  
941 W. 3rd  
Eugene, Oregon 97440

attorney for and judgment lien  
creditor, attorney's fees in  
Klamath County Circuit Court  
Case No. 9704857CV

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.

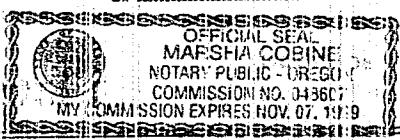
NEAL G. BUCHANAN

Successor

Trustee Beneficiary (state which)

DATED August 11, 1998.

STATE OF OREGON County of Klamath ss.  
This instrument was acknowledged before me on August 11, 1998,  
by Neal G. Buchanan  
This instrument was acknowledged before me on , 19 ,  
by \_\_\_\_\_  
as \_\_\_\_\_  
of \_\_\_\_\_



Notary Public for Oregon

My commission expires 11-7-99

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal G. Buchanan the 11th day  
of August A.D. 19 98 at 10:57 o'clock A. M. and duly recorded in Vol. M98  
of Mortgages on Page 29398

Bernetha G. Letsch, County Clerk

FEE \$15.00