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SECOND AMENDED

Vol. M98 Page 41791

'98 NOV 16 P2.43

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Sharon K. Brown

Mountain Title Company of Klamath County, AmeriTitle as successor trustee *
 in favor of Freda A. Smelcer
 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 and 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 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

**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 Barnabus Episcopal Church

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: 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 —

SECOND AMENDED
NOTICE OF DEFAULT
AND ELECTION TO SELL

Re: Trust Deed from

Sharon K. Brown

Grantor

TO

Mountain Title Company of Klamath
County, AmeriTitle as successor

Trustee

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

Neal G. Buchanan

435 Oak Aave.

Klamath Falls, OR 97601

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/instru-
 ment/microfilm/reception No. _____,
 Record of Mortgages of said County.

Witness my hand and seal of
 County affixed.

NAME

TITLE

By _____, Deputy

41792

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 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on JANUARY 19, 1999, 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
P.O. Box 71
Bonanza, Oregon 97623

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
NEAL G. BUCHANAN

DATED NOVEMBER 16, 1998

Successor Trustee ~~Deputy~~ (state which)

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on November 16, 1998, by Neal G. Buchanan

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

by _____

as _____

of _____



Marsha Cobine
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 16th day of November A.D., 19 98 at 2:43 o'clock P. M., and duly recorded in Vol. M98 of Mortgages on Page 41791

By *Bernetha G. Letsch* Bernetha G. Letsch, County Clerk

FEE \$15.00
1.00 copy