

ASPEN 01050474

Vol M99 Page 44348

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Berniece I. Amiller, an unmarried woman

First American Title Insurance Company of Oregon, as grantor, to
in favor of Directors Mortgage Loan Corporation, as trustee,
dated November 8, 1994, recorded December 2, 1994, as beneficiary,
Klamath County, Oregon, in book red/volume No. M94, 1994, in the mortgage records of
fee/file/instrument/microfilm/reception No. at page 36785
property situated in the above-mentioned county and state, to-wit:

Lot 21, Block 17, HILLSIDE ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County.

Commonly known as: 2043 Del Moro Street, Klamath Falls, OR 97601

The beneficial interest in said trust deed was subsequently assigned to National City Mortgage Co. by instrument recorded December 28, 1995, in Volume M95 at page 35470.

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:

SEE EXHIBIT A, PARAGRAPH I.

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:

SEE EXHIBIT A, PARAGRAPH II.

— OVER —

NOTICE OF DEFAULT AND ELECTION TO SELL

Re: Trust Deed from
Berniece I. Amiller
Grantee
First American Title Insurance Company of Oregon
Trustee
After recording return to (Name), Address, Zip)
Beverly S. Thomas
1100 SW Sixth, Suite 1600
Portland, OR 97204

STATE OF OREGON
COUNTY OF CLATSOP
I, REBECCA L. THOMAS, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of CLATSOP, State of OREGON.
WITNESS my hand and the seal of said County, this 10th day of November, 1995.
County affixed.
NAME
TITLE
By _____, Deputy

44349

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 85.705 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 one o'clock, P.M., in accord with the standard of time established by ORS 187.110 on March 3, 2000 at the following place: the front of the Government Center, 305 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 the property, except:

NAME AND LAST KNOWN ADDRESS

NATURE OF RIGHT, LIEN OR INTEREST

SEE EXHIBIT V

SEE EXHIBIT V

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.

Don G. Carter
Don G. Carter, Successor Trustee

DATED Nov. 1, 1999

Trustee

Beneficiary

(state which)

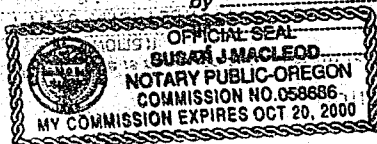
STATE OF OREGON, County of Multnomah ss.

This instrument was acknowledged before me on Nov. 1, 1999,

by Don G. Carter

This instrument was acknowledged before me on Nov. 1, 1999,

by



Susan J. MacLeod
Notary Public for Oregon
My commission expires

EXHIBIT A

44350

I

Monthly principal and interest installments of \$437.71 each from July 1, 1999, until paid; monthly escrow installments of \$118.52 each from July 1, 1999, until paid; accrued late charges in the amount of \$87.56, plus monthly late charges of \$21.89 each beginning November 16, 1999, until paid; corporate advances in the amount of \$1,797.77; delinquent property taxes, if any; cost of foreclosure report; attorney's fees, trustee's fees, together with any other sums due or that may become due under the Note or by reason of this foreclosure and any further advances made by Beneficiary as allowed by the Note and Deed of Trust.

II

The principal sum of \$52,364.58 with interest on the principal balance at the rate of 9.0 percent per annum, from June 1, 1999; accrued late charges in the amount of \$87.56, plus monthly late charges of \$21.89 each beginning November 16, 1999, until paid; corporate advances in the amount of \$1,797.77; escrow advances in the amount of \$543.21; prepayment premium, if applicable; cost of foreclosure report; attorney's fees, trustee's fees, together with any other sums due or that may become due under the Note or by reason of this foreclosure and any further advances made by Beneficiary as allowed by the Note and Deed of Trust.

State of Oregon, County of Klamath
Recorded 11/05/99, at 3:18 p m.
In Vol. M99 Page 44348
Linda Smith,
County Clerk Fee \$ 20⁰⁰