

After Recording Return To:

Vol M00 Page 1367

Glenn H. Prohaska
4425 SW Corbett Avenue
Portland, Oregon 97201

200 JAN 14 AM 11:35

MTC 50199

Above Space Reserved For Recorder's Use

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by **Kelly G. Wilton and Mary L. Wilton**, as grantor(s), Nancy L. Peterson, as trustee, in favor of Conesco Finance Servicing Corporation (fka Green Tree Financial Corporation), as beneficiary, dated June 13, 1997, recorded June 23, 1997, in the mortgage records of Klamath County, Oregon, as Fee No. Vol. M97 Page 19319, covering the following described real property situated in the above-mentioned county and state, to-wit:

See Exhibit A

The undersigned, Glenn H. Prohaska, 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 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:

\$ 3,369.32	Total delinquent monthly payments and late chgs. due as of December 14, 1999
\$ 3,369.32	TOTAL AMOUNT REQUIRED TO REINSTATE AS OF December 14, 1999

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:

\$ 105,864.66	Principal balance of loan
\$ 105,864.66	TOTAL AMOUNT DUE AS OF December 14, 1999

RE: Trust Deed from Kelly G. Wilton and Mary L. Wilton, GRANTOR(s)
TO: Glenn H. Prohaska, SUCCESSOR TRUSTEE

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.

31.00
✓ m

The sale will be held at the hour of 11:45 o'clock A.M., in accord with the standard of time established by ORS 187.110 on June 9, 2000, at front steps of Klamath County Courthouse 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

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five (5) 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 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.

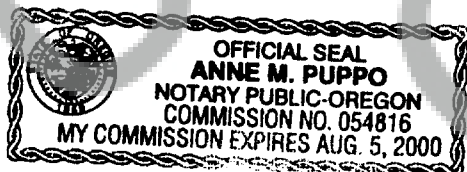
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED this date: January 12, 2000


Glenn H. Prohaska, Trustee

STATE OF OREGON, County of Multnomah) ss.

SUBSCRIBED AND SWORN TO before me this 12th day of January, 2000.





Notary Public For Oregon
My Commission expires: 8-5-2000

EXHIBIT "A"
LEGAL DESCRIPTION

19325
1369

Lot 14, Block 66, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT PLAT NO. 3,
according to the official plat thereof on file in the office of the County Clerk
of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 23rd day
of June A.D., 19 97 at 11:40 o'clock A. M., and duly recorded in Vol. M97
of Mortgages on Page 19319.

FEE \$40 00

By Bernelha G. Letsch, County Clerk
Kathleen Rose

State of Oregon, County of Klamath
Recorded 1/14/00, at 11:35 a m.
In Vol. M00 Page 1367
Linda Smith,
County Clerk Fee \$ 31⁰⁰

**BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON**

*In the Matter of Removing a certain parcel)
from the Tax Collector's Deed)*

Order No. 2000- 065

WHEREAS, on this matter before the Klamath County Board of Commissioners it appears that certain parties holding an interest in the undivided one-fourth interest in the real property known as tax lot R-3208-00000-01900-0U3 were not served notice of foreclosure during the redemption period. The undivided one-fourth interest in the real property was included in Foreclosure No. 88-1-FR and deeded to Klamath County on January 4, 1991, in Volume M91, Page 143 and rerecorded on April 22, 1991, in Volume M91, Page 7274. The real property is described as:

The E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 32 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

NOW THEREFORE, it is ordered that the undivided one-fourth interest in the above described parcel is removed from the foreclosure deed recorded on January 4, 1991, in Volume M91, Page 143 and rerecorded on April 22, 1991, in Volume M91, Page 7274.

IT IS FURTHER ORDERED, that the Judgment and Decree dated December 21, 1988, and recorded on January 4, 1991, and rerecorded on April 22, 1991, for Foreclosure No. 88-1-FR is still effective.

DONE and DATED this 11th day of January, 2000.

BOARD OF COUNTY COMMISSIONERS


Al Switzer, Chairman of the Board


William R. Garfard, County Commissioner


M. Steven West, County Commissioner

State of Oregon, County of Klamath
Recorded 1/14/00, at 12:58 p.m.
In Vol. M00 Page 1370
Linda Smith,
County Clerk Fee\$ NC

Return to Commissioner's Journal