

200 JUL -7 PM 3: 02  
Record and Return to: RETURN  
 STANDARD TRUSTEE SERVICE COMPANY WASHINGTON  
 2600 STANWELL DRIVE, SUITE 200  
 CONCORD, CA 94520  
 (800) 995-2670

T.S. No: ONMC054627  
 Loan No: 7031664/Biggs

K55618

**NOTICE OF DEFAULT AND ELECTION TO SELL**

The Trustee, under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in said Trust Deed to satisfy the obligations secured thereby;

A. **PARTIES IN THE DEED OF TRUST:**

GRANTOR(S): Billy R. Biggs Sr. and Velma L. Biggs , husband and wife

TRUSTEE: First American Title Insurance Company of Oregon, an Oregon Corporation

SUCCESSOR TRUSTEE: Fidelity National Title Company of Oregon

BENEFICIARY: Norwest Mortgage Inc., a California Corporation DBA Directors Mortgage Loan Corporation

B. **DESCRIPTION OF PROPERTY:**

Lot 1 in Block 6 of First Addition to Ferndale, according to the official Plat thereof on file in the office of the County clerk of Klamath County, Oregon

Property commonly known as: 4881 Lombard Drive Klamath Falls, OR 97603

C. **TRUST DEED INFORMATION:**

DATED DATE: 01/24/1996

RECORDING DATE: 01/30/1996

RECORDING NUMBER: Book: M96 Page: 2707

RERECORDED ON:

RECORDING PLACE: Official records of the County of Klamath  
 State of Oregon

D. **DEFAULT:** The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:

1. **MONTHLY PAYMENTS:**

Monthly installments and late charges from 02/01/2000 plus all subsequent installments and late charges,

TOTAL PAYMENTS & LATE CHARGES \$3,598.63

2. **Other Arrearages:** \$65.63

3. **TOTAL AMOUNT DUE:** \$3,664.26

**Plus all accrued real property taxes, interest or penalties until paid.**

E. **AMOUNT DUE:** The beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being:

Principal Balance: \$68,800.74

In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 01/01/2000 at 7.875 %, as well as all Trustee's fees and costs, Attorneys fees and costs, and all

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foreclosure costs.

F. **ELECTION TO SELL:** NOTICE IS HEREBY GIVEN That the Beneficiary and Trustee, by reason of said default have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 et. seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in the described property which the Debtor(s) had, or had the power to convey, at the time of the execution of the Trust Deed together with any interest the Grantor or successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed together with the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of the Trustee's Attorney.

G. **TIME AND PLACE OF SALE:**

TIME : 10:00 A.M. Friday, 10/20/2000

PLACE: On the front steps to the Circuit Court 317 South 7th Street Klamath Falls, OR

H. **RIGHT TO REINSTATE:** NOTICE IS FURTHER GIVEN That at any time prior to five days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee 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 said sums or tendering the performance necessary to cure the default, by paying all costs and expenses to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed, together with Trustee's fees and Attorney's fees.

Dated: 5/2/2000

Fidelity National Title Company of Oregon  
401 S.W. Fourth Avenue  
Portland, OR 97204  
(503)223-8338

By: [Signature]  
Fidelity National Title Company of Oregon

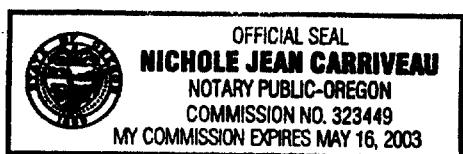
STATE OF OREGON

COUNTY OF MULTNOMAHThis instrument was acknowledged before me on 6-2-00.

by Thomas R. Moore as Assistant Vice President  
of Fidelity National Title Co. of Oregon

[Signature]

NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES: 5-16-03

**STANDARD TRUSTEE SERVICE COMPANY WASHINGTON**

**20629**

2600 Stanwell Drive, Ste. 200

Concord, CA 94520

925-603-1000

FAX 925-685-3735

TS Number: ONMC054627

Loan Number: 7031664/Biggs

**FAIR DEBT COLLECTION PRACTICES ACT NOTIFICATION**

Pursuant to and in compliance with the Fair Debt Collection Practices Acts (Federal [15 USC 1692]) the Trustee/Agent named in the Notice of Default hereby provides the following notification(s):

"We are attempting to collect a debt and any information we obtain will be used for that purpose."

"The debt described in the Notice of Default is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification.

If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor."

**\*\*IF YOU HAVE FILED A CHAPTER 7 BANKRUPTCY AND RECEIVED A DISCHARGE OF DEBTOR, YOU ARE NO LONGER PERSONALLY OBLIGATED TO MAKE PAYMENTS ON THE LOAN. However, the beneficiary still retains a security interest in the property and can exercise its rights to commence foreclosure unless a cure of the default under the security instrument is effected. The following communication is mandatory and should not be read as a requirement that you make payments on your loan. If you in fact, follow the options specified in the attached communication and make payments, you should only do so if you are interested in preserving your rights to the property.\*\***

**State of Oregon, County of Klamath**

Recorded 06/07/00, at 3:02 p. m.

In Vol. M00 Page 20627

**Linda Smith,**

County Clerk Fee\$ 21<sup>00</sup>