

After recording return to:  
BISHOP, LYNCH & WHITE, P.S.  
720 Olive Way, #1301  
Seattle, WA 98101-1801  
Attn: Trudie Walsh

Vol MOO Page 21723

Ref: Harris, 240-2330.01

200 JUN 15 PM 1:56

K55592

NOTICE: UNLESS YOU DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF WITHIN 30 DAYS AFTER RECEIPT OF THIS DOCUMENT, THIS OFFICE WILL ASSUME THE DEBT TO BE VALID. IF YOU NOTIFY THIS OFFICE IN WRITING WITHIN THE 30-DAY PERIOD THAT THE DEBT OR ANY PORTION THEREOF IS DISPUTED, VERIFICATION OF THE DEBT WILL BE OBTAINED AND WILL BE MAILED TO YOU. UPON WRITTEN REQUEST WITHIN 30 DAYS, THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM THE CURRENT CREDITOR, WILL BE PROVIDED.

NOTICE: WE ARE ATTEMPTING TO COLLECT A DEBT, ANY INFORMATION OBTAINED WILL BE USED FOR PURPOSES OF DEBT COLLECTING.

#### NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Curtis A. Harris and Violet E. Harris, an estate in fee simple as tenants by the entirety, as grantor, to Mark H. Peterman, as trustee, in favor of BNC Mortgage, Inc., a California Corporation, as beneficiary, dated January 15, 1996, recorded January 30, 1996, in the mortgage records of Klamath County, Oregon, in VOL M96, Page 2521, covering the following described real property situated in said county and state, to-wit:

See Legal Description attached hereto as Exhibit "A" and incorporated herein by this reference.

Commonly known as: 1726 Pine Grove Road, Klamath Falls, OR 97603

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 situate; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said 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 said trust deed, or by their successor in interest with respect to provision therein which authorizes 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:

#### Monthly Payments:

Delinquent monthly payments from January 15, 1999 through May 15, 2000

3	Payment(s) at	\$1,205.45	\$3,616.35
6	Payment(s) at	1,153.04	6,918.24
6	Payment(s) at	1,215.02	7,290.12
3	Payment(s) at	1,277.55	3,832.65

**Late Charges:**

3	Late Charge(s) at for each monthly payment not made within 10 days of its due date:	120.55	361.65
6	Late Charge(s) at for each monthly payment not made within 10 days of its due date:	115.30	691.80
6	Late Charge(s) at for each monthly payment not made within 10 days of its due date:	121.50	729.00
2	Late Charge(s) at for each monthly payment not made within 10 days of its due date:	127.78	255.56
<b>TOTAL MONTHLY PAYMENTS AND LATE CHARGES</b>			<b>\$22,417.82</b>

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to wit:

Unpaid principal balance \$127,675.10, plus interest at the current rate of 11.375% which is subject to change, from December 15, 1998, additional late charges, advances, foreclosure fees and costs.

Notice hereby is 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 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 said 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 successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said 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.

Said sale will be held at the hour of 11:00 o'clock a.m., in accord with the standard of time established by ORS 187.110 on October 18, 2000, at the following place: at the front entrance to the County Courthouse, located at 316 Main Street, Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.

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), paying all advances authorized under the deed of trust, including all costs and expenses incurred in enforcing the obligation and trust deed, 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 actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said 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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: June 6, 2000

Robin P. Church

Robin P. Church, Trustee

STATE OF WASHINGTON )

)

ss.

COUNTY OF KING )

On this 6 day of June, 2000, personally appeared ROBIN P. CHURCH, who acknowledged that she signed the within foregoing instrument as her free and voluntary act and deed for the uses and purposes therein mentioned.

Trudie Walsh

PRINTED NAME: Trudie Walsh

Notary Public for Washington

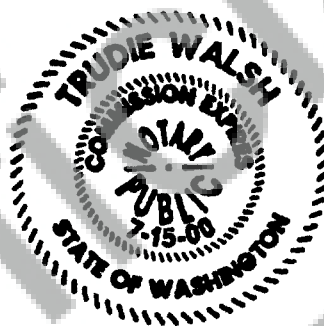
My commission expires: 07-15-00

For Information Call:

(206) 622-7527

Ref: 240-2330

FORBASE\OREGON\NOD.FRM REV 6/1/00



## EXHIBIT "A"

## DESCRIPTION OF PROPERTY

The following described real property situate in Klamath County, Oregon:

Parcel 1:

A Parcel of land in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 9, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows:

Beginning at a point which is South 88°58' East a distance of 30.0 feet and North 0°06' East a distance of 1093.20 feet from the Southwest corner of said SE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , said point also being on the East right of way line of Pine Grove Road; thence North 0°06' East, along said East line a distance of 200.64 feet; thence leaving said East line, and running South 89°30' East, a distance of 297.2 feet; thence South 0°06' West a distance of 201.11 feet; thence North 89°24' West a distance of 297.2 feet to the point of beginning.

RESERVING the East 30.0 feet for a non-exclusive road easement.

Parcel 2:

A parcel of land in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 9, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows;

Beginning at a point which is South 88°58' East a distance of 30.0 feet and North 0°06' East a distance of 1093.20 feet from the Southwest corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$  and continuing North 0°06' East, along said East line a distance of 200.64 feet to the true point of beginning, said point also being on the East right of way line of Pine Grove Road; thence South 89°30' East, a distance of 297.2 feet; thence North 0°06' East a distance of 25 feet to the South line of property described in Deed Book M66 page 831; thence South 89°55' West along said South line, a distance of 297.2 feet to the East right of way line of Pine Grove Road; thence South along said East line, 25 feet, more or less, to the point of beginning.

State of Oregon, County of Klamath  
Recorded 06/15/00, at 1:56 p.m.  
In Vol. M00 Page 21723  
Linda Smith,  
County Clerk Fee\$ 36<sup>00</sup>