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Vol M00 Page 25441

200 JUL 12 PM 1:07  
**NOTICE OF DEFAULT  
 AND ELECTION TO SELL**

RE: Trust Deed from  
 Western Homes, Inc., an Oregon corporation

To Grantor

AmeriTitle (Neal G. Buchanan, Attorney at  
 Law as Successor Trustee)

Trustee

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

Neal G. Buchanan

435 Oak Avenue

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  
 \_\_\_\_\_ and/or as fee/file/instru-  
 ment/microfilm/reception No. \_\_\_\_\_,  
 Records of said County.

Witness my hand and seal of County  
 affixed.

NAME

TITLE

By \_\_\_\_\_, Deputy.

Reference is made to that certain trust deed made by WESTERN HOMES, INC., an Oregon Corporation

\_\_\_\_\_, as grantor, to  
AMERITITLE\* \_\_\_\_\_, as trustee,  
 in favor of OLIVER P. PEARSON AND ANITA K. PEARSON AS TRUSTEES OF THE PEARSON FAMILY TRUST DATED MARCH 5, 1991  
 signed January 16, 1998, as beneficiary,  
 dated January 12, 1998, recorded January 21, 1998, in the Records of  
Klamath County, Oregon, in book/reel/volume No. M98 at page 1918, and/or as  
 fee/file/instrument/microfilm/reception No. 51921 (indicate which), covering the following described real property  
 situated in the above-mentioned county and state, to-wit:

Lots 4, 5, 6, 7, 8, 9 of LAKEWOOD HEIGHTS, according to the official plat thereof on file in the  
 office of the County Clerk of Klamath County, Oregon. By Deed of Partial Reconveyance Lots 6, 7 and  
 the west 47 feet of Lot 8 in said LAKEWOOD HEIGHTS was released.

\*By Appointment of Successor Trustee dated February 17, 2000, Neal G. Buchanan, Attorney at Law, was  
 appointed Successor Trustee, such document recorded in Vol. M00, Page 5735 on February 24, 2000 in the  
 records of Klamath County, Oregon.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appoint-  
 ments of a successor trustee have been made, except as recorded in the Records of the county or counties in which the above-  
 described real property is situated. Further, 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 grantor or other person owing an obligation, 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: Balance of principal and interest,  
 all of which became due and payable in full on January 16, 2000.

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: Balance of principal and interest through February 22, 2000 in  
 the sum of \$31,329.33 together with interest thereon at the sum of 8% per annum from February 22, 2000 until  
 paid.

(OVER)

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 CK



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 grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest 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 November 15, 2000, XXXXXX, at the following place: Law Office of Neal G. Buchanan, 435 Oak Ave. 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 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 A ATTACHED HERETO AND INCORPORATED BY THIS REFERENCE HEREIN AS IF FULLY SET FORTH.

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 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 July 12, 2000, 19.

Neal G. Buchanan  
NEAL G. BUCHANAN

Successor ☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on July 12, 2000, 19,  
by Neal G. Buchanan

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_,  
by \_\_\_\_\_  
as \_\_\_\_\_  
of \_\_\_\_\_



Marsha Cobine  
Notary Public for Oregon  
My commission expires 11-7-03

## EXHIBIT A TO NOTICE OF DEFAULT AND ELECTION TO SELL

<u>Name and Last Known Address</u>	<u>Nature of Right, Lien or Interest</u>
Western Homes, Inc., an Oregon Corporation c/o Registered Agent Cathy King 5729 Altamont Drive Klamath Falls, OR 97603	Grantor and fee interest holder
State of Oregon Department of Revenue 955 Center St. N.E. Salem, Oregon 97310	State Tax Warrant No. R285515-5 for \$7,158.71 recorded 1-14-00 at Vol. M00, page 1335 State Tax Warrant No. R-285515-5 for \$246.56 recorded 1-14-00 at Vol. M00, page 1337 State Tax Warrant No. R-285515-5 for \$4,205.70 recorded 1-14-00 at Vol. M00, page 1336
Duerkson and Associates Jerry Duerksen, Registered Agent 2779 N. 9th St. Corvallis, Oregon 97330	Judgment in Klamath County Case No. 0000263CV entered February 1, 2000 for \$135.00
Shasta Glen, L.L.C. Tom Oller, Registered Agent 1576 NW City Heights Bend, Oregon 97701-5453	Judgment in Klamath County Case No. 9902114CV entered October 15, 1999 for \$4,638.49 plus
Shasta Glen, L.L.C. see above	Judgment in Klamath County Case No. 9904653CV entered February 15, 2000 for \$645.00 plus and \$1,411.75 plus
Pave & Seal, Inc. Barry Rigo, Registered Agent 5506 Altamont Dr. Klamath Falls, OR 97603	Judgment in Klamath County Case No. 0000068CV entered February 25, 2000 for \$2,755.02, \$81.00, \$25.00, \$60.00 plus
Mark and Roberta Glover P.O. Box 278 Chiloquin, OR 97624	Judgment in Klamath County Case No. 0000158CV entered March 6, 2000 for \$5,166.00
Gerrit A. DeGroot 824 Pine Street Klamath Falls, OR 97601	Judgment in Klamath County Case No. 0000895CV entered March 3, 2000, civil foreclosure
Klamath County c/o Reginald Davis, County Counsel 305 Main Street Klamath Falls, OR 97601	Klamath County Personal Property Tax Warrant; Warrant No. 993456 recorded April 20, 2000, Vol. M00 Page 13185
Klamath County	Klamath County Personal Property Tax Warrant; Warrant No. 993567 recorded April 21, 2000, Vol. M00 Page 13411

Klamath County	Klamath County Personal Property Tax Warrant; Warrant No. 993614 recorded April 21, 2000, Vol. M00 Page 13443
Klamath County	Klamath County Personal Property Tax Warrant; Warrant No. 993589 recorded April 21, 2000, Vol. M00 Page 13427
Klamath County	Klamath County Personal Property Tax Warrant; Warrant No. 993862 recorded April 24, 2000, Vol. M00 Page 13823
Klamath County	Klamath County Personal Property Tax Warrant; Warrant No. 993862 recorded April 24, 2000, Vol. M00 Page 13823
Klamath County	Klamath County Personal Property Tax Warrant; Warrant No. 994288 recorded April 28, 2000, Vol. M00 Page 14985
Klamath County	Klamath County Personal Property Tax Warrant; Warrant No. 994288 recorded April 28, 2000, Vol. M00 Page 14986
Klamath County	Klamath County Personal Property Tax Warrant; Warrant No. 994290 recorded April 28, 2000, Vol. M00 Page 14987
Klamath County	Klamath County Personal Property Tax Warrant; Warrant No. 994866 recorded May 2, 2000, Vol. M00 Page 15561
Campus Green Mobile Home Park 3611 Hwy 97 N. Klamath Falls, OR 97601	Judgment in Klamath County Circuit Court Case No. 00-2248CV Judgment in Klamath County Circuit Court Case No. 00-2249CV
Old Republic Surety Co. P.O. Box 1635 Milwaukie, WI 53201	Judgment in Jacson County Circuit Court Case No. 000715-L-2 recorded in Klamath County Clerk's records at Vol. M00, page 24421
Jan D. Sokel Stewart Sokel & Gray 1500 Benjamin Franklin Plaza 1 S.W. Columbia St. Portland, Oregon 97258	Attorneys for judgment creditor Old Republic Surety Co.

State of Oregon, County of Klamath  
Recorded 07/12/00, at 1:07 p.m.  
In Vol. M00 Page 25441  
**Linda Smith,**  
County Clerk Fee\$ 36<sup>00</sup>