

NN



NOTICE OF DEFAULT AND ELECTION TO SELL

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RE: Trust Deed from
 Linda DePue
 P.O. Box 271
 Crescent, OR 97733
 To Grantor

Robert A. Smejkal, Attorney
 P.O. Box 654
 Eugene, OR 97440
 Trustee

After recording, return to (Name, Address, Zip):
 Robert A. Smejkal
 P.O. Box 654
 Eugene, OR 97440

SPACE RESE FOR RECORDER:

State of Oregon, County of Klamath
 Recorded 01/02/01, at 2:22 P.m.
 In Vol. M01 Page 104
 B: Linda Smith ity.
 County Clerk Fee \$ 26⁰⁰

Reference is made to that certain trust deed made by Linda R. DePue

Robert A. Smejkal, Attorney at Law, as grantor, to
James B. Ahn and Kyung H. Ahn, husband and wife or *, as trustee,
 in favor of James B. Ahn and Kyung H. Ahn, husband and wife or *, as beneficiary,
 dated May 21, 1999, recorded on May 27, 1999, in the Records of
Klamath County, Oregon, in Instrument volume No. M99 at page 21153, and/or as
 fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real property
 situated in the above-mentioned county and state, to-wit: * the survivor

Parcel 1: Lots 2, 3, 4, all of Lot 5, LESS the West 8 feet, in Block 42, CRESCENT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Parcel 2: Lots 9, 10, 11, 12, and 13 in Block 42 of CRESCENT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, TOGETHER with the Westerly 8 feet of the alley adjacent to said lots. ALSO the Easterly 8 feet of the vacated alley in said Block 42 adjacent to Lot 5 of said Block. EXCEPTING THEREFROM that portion lying and being Northwesterly of a line 50 feet Southeasterly of and parallel to the present relocated centerline of the Dalles-California Highway

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 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: (1) Monthly payments in the amount of \$1,325.00 each, commencing with the payment due 6/27/00 and continuing each month thereafter; (2) Real property taxes, as follows: 1999-00 in the amount of \$461.37 plus interest; and 2000-01 in the amount of \$524.13 plus interest.

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: Principal amount of \$106,000.00 plus interest at the rate of 15% per annum from 5/27/00 until paid; plus late fees, foreclosure costs and attorney fees, and any sums advanced by the Beneficiary pursuant to the terms of the Trust Deed.

(OVER)



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 10:30 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on June 14, 2001, at the following place: inside front entrance Klamath County Courthouse, 317 South 7th 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 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
None	

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 December 29, 2000

Robert A. Smejkal

Robert A. Smejkal

Trustee Beneficiary (indicate which)

STATE OF OREGON, County of Lane ss.

This instrument was acknowledged before me on December 29, 2000, by Robert A. Smejkal

This instrument was acknowledged before me on _____, by _____, as _____ of _____

Dorothy Larkins
Notary Public for Oregon

My commission expires 3-04-03

