State of Oregon, County of Klamath
Recorded 04/15/2002 3:// p m.
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Linda Smith, County Clerk
Fee \$ 3/00 # of Pgs 3

AFTER RECORDING RETURN TO:

Anderson & Monson, P.C. 10700 SW Beaverton-Hillsdale Hwy., Suite 460 Beaverton, Oregon 97005

mics6575

NOTICE OF DEFAULT AND ELECTION TO SELL

The trust deed to be foreclosed pursuant to Oregon law is referred to as follows (the "Trust Deed"):

Grantor:

Scott D. Wiggers and Rebecca L. Wiggers

Trustee:

AmeriTitle

Beneficiary:

Oakwood Acceptance Corporation

Date: Recording Date: February 25, 2000 March 1, 2000

Recording Reference:

Vol. M00, Page 6485

County of Recording:

Klamath County

Oakwood Acceptance Corporation is now known as Oakwood Acceptance Corporation, LLC., a Delaware LLC. ("Beneficiary") pursuant to a merger effective October 1, 2001.

The Trust Deed covers real property described in the Trust Deed and legally described as follows in the County of Klamath and State of Oregon ("the Property"):

Lot 6 in Block 20 of THIRD ADDITION TO RIVER PINE ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Together with all improvements constructed upon, affixed to or located upon the above described real property, including without limitation any residential dwelling located upon or to be located thereon, which dwelling is or may be a manufactured home, as hereinbelow described, which manufactured home is or upon placement and affixation shall be conclusively deemed to be real estate ("the Manufactured Home"):

Manufactured Home make: Golden West Manufactured Home model: OK56003K

Together with any interest therein which Grantor may hereafter acquire.

The Successor Trustee hereby certifies as follows: (1) No assignment of the Trust Deed by the Trustee or by the Beneficiary and no appointment of a successor-trustee have been made except as recorded in the official records of the county or counties in which the Property is located; and (2) No action has been instituted to recover all or any part of the debt now remaining secured by the Trust Deed, or, if such action was instituted, it was dismissed except as permitted by ORS 86.735(4).

The Grantor or other person owing the debt has defaulted as provided under the Trust Deed, and such default allows the Beneficiary to foreclose the Trust Deed.

The default for which foreclosure is permitted is the Grantors' failure to pay when due the following sums:

Monthly installments of \$676.44 beginning November 1, 2001 and continuing through the installment due April 1, 2002, plus late charges and NSF fees, less a suspense balance of \$9.48.

By reason of the default, the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable as follows:

\$85,036.41 together with interest of \$2,869.40 through February 20, 2002 plus interest on the principal sum of \$85,036.41 at the rate of 8.75 percent per annum from February 21,2002, until paid, less a suspense balance of \$9.48, together with Trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the Trust Deed.

NOTICE

By reason of the default, the Beneficiary and the Trustee have elected to foreclose the Trust Deed by advertisement and sale pursuant to ORS 86.705 to 86.795. At public auction, the Trustee shall sell to the highest bidder for cash the interest in the 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 Grantor or Grantor's successors in interest acquired after the execution of the Trust Deed, to satisfy the debt secured by the Trust Deed and the expenses of the sale, including the compensation of the Trustee as provided by law, and the reasonable fees of Trustee's attorneys.

The sale will be held at the hour of One O'clock, 1:00 P.M. on September 6, 2002 at the following place: Klamath County Courthouse, 316 Main Street, Front Steps, in the City of Klamath Falls, County of Klamath and State of Oregon.

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 Property 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 NATURE OF RIGHT, LIEN, OR INTEREST

Scott D. Wiggers Grantor

Rebecca L. Wiggers Grantor

Larry Erwin Attorney for Grantors

John Doe and/or Jane Doe Possible Occupants

NOTICE OF RIGHT TO CURE

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 doing <u>all</u> of the following:

- 1. Paying to the Beneficiary the entire amount then due (other than such portion as would not then be due, had no default occurred);
- 2. Curing any other default that is capable of being cured by tendering the performance required under the Trust Deed; and
- 3. 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: April 12, 2002.

Miles D. Monson Successor Trustee

10700 SW Beaverton-Hillsdale Hwy., Suite 460

Beaverton, Oregon 97005 Telephone: (503) 646-9230

STATE OF OREGON

) ss.

County of Washington

On this 12th day of April, 2002, personally appeared the above-named Miles D. Monson, Successor Trustee, and acknowledged the foregoing instrument to be his voluntary act and deed.

NOTARY PUBLIC FOR OREGON

OFFICIAL SEAL
PATRICIA B BAILIE
NOTARY PUT THE REGON
COMMISSION EXPIRES JULY 13, 2004

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