

02 SEP 17 AM 11:03

MTL 58308

TRUSTEE'S NOTICE OF DEFAULT**AND ELECTION TO SELL**

State of Oregon, County of Klamath

Recorded 09/17/2002 11:03 a. m.Vol M02, Pg 52967-69

Linda Smith, County Clerk

Fee \$ 3100 # of Pgs 3

Nichole Walls, as grantor, made, executed and delivered to AmeriTitle, as trustee, to secure the performance of certain obligations including the payment of the principal sum of \$34,697.07, in favor of Vernon G. Ludwig and Ofelia Ludwig, as beneficiary, that certain trust deed dated June 18, 1996, and recorded, June 26, 1996, in the official records of Klamath County, Oregon, in Volume M96, Page 19067, covering the following described real property situated in said county:

The North 130 feet of Lot 25, HOMELAND TRACTS NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

There is a default by the grantor owing the obligations in that the grantor has failed to pay, when due, the following sums thereon:

Monthly installments of \$343.59 per month, beginning with the installment due July 5, 2001, which were due on the 5th day of each month thereafter.

which are now past due, owing and delinquent. Grantor's failure just described is the default for which the foreclosure mentioned below is made, in addition to delinquent property taxes for tax year 2001-2002.

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

\$36,603.56 together with interest thereon at the rate of 11.5% per annum from February 19, 2002, until paid, plus a late fee of \$17.18 when any payment is not received within 15 days of its due date, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed, which sums

Notice hereby is given that the undersigned, by reason of said default, has elected and hereby does elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Section 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 him of the trust deed, together with any interest the grantor or his 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 a reasonable charge by the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Trustee's Notice of Default and
Election to Sell -1-

LAW OFFICES OF
DAVIS, GILSTRAP, HEARN, SALADOFF & SMITH
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455

31.00 M

Said sale will be held at the hour of 9:30 o'clock, a.m., Pacific Standard Time, as established by Section 187.110 of Oregon Revised Statutes, on February 13, 2003, at the following place: AmeriTitle, 222 S. Sixth Street, Klamath Falls, OR 97601.

Other than as shown of record, the trustee has no 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 the 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

Nichole Walls
4508 Cool Valley Drive
Las Vegas NV 89110

Fee Simple, Grantor

United Finance
2316 S 6TH STREET
Klamath Falls OR 97601

Judgment Creditor

Carter Jones Collection LLC
1143 Pine Street
Klamath Falls OR 97601

Judgment Creditor

Notice is further given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred), together with costs, trustee's and attorney's fees, at any time prior to five days before the date set for said sale.

DATED this 13th day of September, 2002.

DAVIS, GILSTRAP, HEARN,
SALADOFF & SMITH
A Professional Corporation



JACK DAVIS, Successor Trustee

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52969

STATE OF OREGON)
)
COUNTY OF JACKSON)

Personally appeared the above-named JACK DAVIS and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:

Joan Christopher
Notary Public for Oregon
My Commission Expires: 9/17/06

