

NN

02 NOV 26 PM 1:43

NOTICE OF DEFAULT
AND ELECTION TO SELLVol M02 Page 68760

RE: Trust Deed from

Keith Eldon Baley

2115 Railroad Ave.

Malin, Oregon 97632

To

Grantor

Neal G. Buchanan

Trustee

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

Neal G. Buchanan

435 Oak Avenue

Klamath Falls, OR 97601

State of Oregon, County of Klamath

Recorded 11/26/2002 1:43 pm.Vol M02, Pg 68760-61

Linda Smith, County Clerk

Fee \$ 26.00 # of Pgs 2Reference is made to that certain trust deed made by KEITH ELDON BALEYNEAL G. BUCHANAN, ATTORNEY AT LAWDEBORAH LYNNE BALEYin favor of October 5, 1995dated KlamathCounty, Oregon, in book/reel volume No. M95at page 29998fee/file/instrument/microfilm/reception No. 8563

(indicate which), covering the following described real property situated in the above-mentioned county and state, to-wit:

Lots 19, 20 and 21, Block 39, Malin Supplemental plat, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

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: The entire balance of Promissory Note secured by Trust Deed, principal and interest of which was all due and payable October 5, 2002.

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: Original unpaid balance secured by Promissory Note in the sum of Six Thousand Five Hundred and no/100 Dollars, together with interest on said sum at the rate of 9% per annum from July 1, 1995 until paid; Expenses including cost of title search as well as other costs and expenses of the Trustee incurred in connection with or in enforcing this obligation and trustee's and attorney's fees actually incurred pursuant to the provisions 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 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on April 11, 2003, at the following place: Law Offices of Neal G. Buchanan,
435 Oak Avenue 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

Keith Eldon Baley
P.O. Box 509
Malin, Oregon 97632

Nature of Right, Lien or Interest

Fee Owner and Grantor

Carter-Jones Collections, LLC
c/o Kent Pederson, Reg. Agent
1143 Pine Street
Klamath Falls, Oregon 97601

Judgment Lien Creditor

Donna Baley, Keith Eldon Baley and Parties in Possession
2115 Railroad Ave., Malin, Oregon 97632

Occupants

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 NOVEMBER 26, 2002

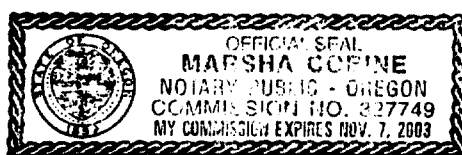
Neal G. Buchanan
NEAL G. BUCHANAN

☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on November 26, 2002
by Neal G. Buchanan

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



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

68761