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NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from

ROBERT ANDREW HARRIS and SARA LOUISE HARRIS

To

Grantor

AMERITITLE

NEAL G. BUCHANAN as Successor

Trustee

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

NEAL G. BUCHANAN

435 OAK AVE

KLAMATH FALLS, OR 97601

Vol M03 Page 16424

State of Oregon, County of Klamath

Recorded 03/19/2003 10:12 Am.

Vol M03 Pg 16424

Linda Smith, County Clerk

Fee \$ 31 # of Pgs 3

Reference is made to that certain trust deed made by ROBERT ANDREW HARRIS and SARA LOUISE HARRIS, as tenants by the entirety, as grantor, to AMERITITLE, an Oregon corporation (NEAL G. BUCHANAN, as Successor) as trustee, ^{survivor thereof} in favor of VERNON K. MOURER, NETTIE PEARL MOURER, CHARLES R. MOURER, VERNON R. MOURER, or the, as beneficiary, dated 7/24/02 signed 7/25/02, recorded on August 8, 2002, in the Records of Klamath County, Oregon, in book XXXXXXX No. M02 at page 44793, 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:

Lot 2 in Block 2, TRACT NO. 1065, IRISH BEND, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, TOGETHER WITH an undivided 1/90th interest in and to Lot 12, Block 4, TRACT NO. 1065, IRISH BEND, TOGETHER WITH a 1973 VILAW HT Manufactured Home, Oregon License #X92091, Serial #20436 which is situate on the real property described herein.

*Neal G. Buchanan, Attorney at Law, was appointed Successor Trustee by an Appointment of Successor Trustee dated January 27, 2003 and January 31, 2003, recorded February 3, 2003 at Vol. M03, Page 06436, 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 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) Failure to pay the monthly payment due in the sum of \$575.00 due October 26, 2002, together with a payment in a like amount for each and every month thereafter; 2) Failure to provide proof of insurance on the premises as required by paragraph 4 of the Trust Deed; 3) Failure to pay when due all taxes, assessments and other charges as required by paragraph 5 of the Trust Deed; 4) Allowing the attachments of additional liens or encumbrances in contravention of paragraph 5 of the Trust Deed; 5) Agreeing to sell, convey, assign or alienate the property without first having obtained the written consent or approval of the beneficiary in contravention of the provisions of the Trust Deed.

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 and interest in the sum of \$59,450.64, together with interest on the unpaid principal balance at the rate of 7.5% per annum from January 22, 2003 until paid; real property taxes due and owing; reimbursement for any insurance placed upon the premises by the beneficiary until sale; all costs, fees and expenses of the trust, including the cost of title search as well as the other costs and expenses of the trustee incurred in connection with or in enforcing the obligation secured by the Trust Deed, together with trustee's and attorney's fees

(OVER)

03 MAR 19 AM 10:12



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 August 5, 2003, at the following place: 435 Oak Avenue (the law offices of Neal G. Buchanan) 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 the attached Exhibit A

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 March 19, 2003

Neal G. Buchanan

NEAL G. BUCHANAN

Successor Trustee

☐ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on March 19, 2003,
by Neal G. Buchanan

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

Marsha Cobine

Notary Public for Oregon

My commission expires 11-7-03



EXHIBIT A

Name and Last Known AddressNature of Right, Lien or Interest

Robert Andrew Harris and
Sara Louise Harris
P.O. Box 453
Gilchrist, Oregon 97737

Grantor

Kelly Wright
2005 Chinchilla Way
Klamath Falls, Oregon 97603

Purported Purchaser

Occupant
33774 Metate Lane
Chiloquin, Oregon 97624

Party in Possession

Davene Elliott
5910 Tingley Lane
Klamath Falls, Oregon 97603

Klamath County Circuit Court Case No.
0000615CV

Robert J. Thomas
27439 Highway 140W
Klamath Falls, Oregon 97601

Klamath County Circuit Court Case No.
0200995CV

Brian L. Fitterer
4770 Campew Dr., #200
Newport Beach, CA 92660

Klamath County Circuit Court Case No.
0202623CV

Daniel Lowe and Michelle Lowe
P.O. Box 82
Tulelake, CA 96134

Klamath County Circuit Court Case No.
0201724CV

McMahan's Furniture
6320 S. 6th Street
Klamath Falls, Oregon 97603

Klamath County Circuit Court Case No.
0300179CV

Harley's Auto Repair and Machine Shop
3000 Pershing Way
Klamath Falls, Oregon 97603

Klamath County Circuit Court Case No.
0300206CV