

OC

MIZ-57793

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08 APR 16 AM 10:51

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Richard T. Carpenter and Dawnette M. Carpenter

George B. Heilig, as grantor, to
in favor of Janet C. Gass, as trustee,
dated March 15, 2001, ~~XX~~, recorded March 21, 2001, ~~XX~~, in the mortgage records of
Klamath County, Oregon, in book/reel/volume No. M01 at page 11296, or as
~~fee/file/instrument/microfilm/reception No.~~ (indicate which), covering the following described real
property situated in said county and state, to-wit:

That portion of the NE 1/4 of the SW 1/4 of Section 1, Township
24 South, Range 6 East of the Willamette Meridian, Klamath County
Oregon, lying East of Crescent Lake Road - State Highway 429 and
Northerly and Easterly of Cold Creek.

State of Oregon, County of Klamath

Recorded 04/16/2003 10:51 A.M.

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Linda Smith, County Clerk

Fee \$ 26 # of Pgs 2

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 mortgage records of the county or counties in which the above described real property is situate; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action has been dismissed.

There is a default by the grantor or other person owing an obligation, the performance of which is secured by said trust deed, or by their 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:

\$1,000.00 due March 20, 2002
\$10,000.00 due March 20, 2003
\$150.00 due March 21, 2003

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

\$36,000.00 together with title expense, costs, trustee's fees and attorney fees incurred herein by reason of said default and any other further sums advanced by beneficiary for the protection of the above described real property and its interest therein.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 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 the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 11:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on Aug. 29, 2003, at the following place: steps of Klamath County Courthouse, 316 Main St. in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee for said sale.

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Other than as shown of record, neither the said beneficiary nor the said 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 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

Richard T. and Dawnette M. Carpenter
79901 Memorial Pl.
LaQuinta CA 92253

Fee Simple

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 said 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's fees not exceeding the amounts provided by said Section 86.753 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, 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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: April 15, 2003 x19

Trustee

~~Beneficiary~~

(State which)

(If the signer of the above is a corporation,
use the form of acknowledgment opposite.)

STATE OF OREGON,

County of Benton

} ss.

The foregoing instrument was acknowledged before
me this April 15, 2003, by
George B. Heilig, Trustee

(ORS 194.570)

STATE OF OREGON, County of) ss.

The foregoing instrument was acknowledged before me this

, 19, by

president, and by

secretary of

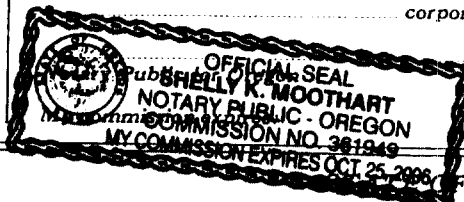
corporation, on behalf of the corporation.

Shelly K. Moothart

Notary Public for Oregon

(SEAL)

My commission expires:



(SEAL)

NOTICE OF DEFAULT AND ELECTION TO SELL

(FORM No. 884)

STEVENS-NESS LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From

Richard & Dawnette Carpenter
79901 Memorial Pl. Grantor
LaQuinta CA 92253
George B. Heilig

PO Box 546, Trustee

Corvallis OR 97339

AFTER RECORDING RETURN TO

George B. Heilig
PO Box 546
Corvallis OR 97339

SPACE RESERVED
FOR
RECORDER'S USE

OF OREGON,
County of) ss.

I certify that the within instru-
ment was received for record on the
..... day of, 19.....,
at o'clockM., and recorded
in book/reel/volume No..... on
page or as fee/file/instrument/
microfilm/reception No.
Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

NAME TITLE
By Deputy