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**NOTICE OF DEFAULT
AND ELECTION TO SELL**Vol M03 Page 57042

RE: Trust Deed from

DOUG STAFF AND RENEE STAFF
HUSBAND AND WIFEState of Oregon, County of Klamath
Recorded 08/07/2003 2:26 p.m.
Vol M03 Pg 57042-57045
Linda Smith, County Clerk
Fee \$ 31.00 # of Pgs 4

To Grantor

FIRST AMERICAN TITLE INSURANCE COMPANY OF
OREGON (NEAL G. BUCHANAN AS SUCCESSOR)

Trustee

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

CC: NEAL G. BUCHANAN435 OAK AVENUEKLAMATH FALLS, OR 97601Reference is made to that certain trust deed made by DOUG STAFF AND RENEE STAFF, HUSBAND AND WIFE, as grantor, to
FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON (NEAL G. BUCHANAN AS SUCCESSOR), as trustee,
in favor of EVERETT J. MC GILVRAY AND SHIRLEY A. MC GILVRAY, HUSBAND AND WIFE, as beneficiary,
dated OCTOBER 4, 1999, SIGNED OCTOBER 11, 1999, recorded on OCTOBER 12, 1999, in the Records of
KLAMATH County, Oregon, in book/reel/volume No. M99 at page 40445, 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:SEE LEGAL DESCRIPTION ATTACHED HERETO MARKED AS EXHIBIT "A" AND
BY THIS REFERENCE INCORPORATED HEREIN AS IF FULLY SET FORTH

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) Failing to pay the entire unpaid balance, all of which such principal and interest was due and payable on September 30, 2002; 2) Failure to maintain insurance on the premises as required by paragraph 4 of the Trust Deed; 3) Failure to pay the real property taxes before any part of the same became past due or delinquent as required by paragraph 5 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: 1) Principal balance in the sum of \$86,139.16 together with interest on said sum at the rate of 7.5% per annum from April 27, 2003 until paid; 2) Expenses of beneficiaries in placing insurance coverage on the premises; 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 and Trustee's and attorney's fees

(OVER)

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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 December 18, 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

Nature of Right, Lien or Interest

SEE EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS
 REFERENCE AS IF FULLY SET FORTH

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 August 7, 2003

Neal G. Buchanan
 NEAL G. BUCHANAN

Successor ☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on August 7, 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

NOTARY PUBLIC 22073

EXHIBIT "A"
DESCRIPTION OF PROPERTY

A tract of land located in the SW $\frac{1}{4}$ of Section 34, Township 39 South, Range 9 E.W.M., more particularly described as follows: Commencing at the section corner common to Sections 33 and 34, Township 39 S., R. 9 E.W.M., and Sections 3 and 4, Township 40 S., R. 9 E.W.M., and running thence N. $89^{\circ}54'05''$ E. along the South line of said Section 34, 1977.00 feet to a point; thence N. $0^{\circ}05'25''$ W. 30.00 feet to the true point of beginning, said true point of beginning being on the Northerly right of way line of Midland Road; from said true point of beginning, thence N. $0^{\circ}15'25''$ W. 1400.00 feet to a point; thence S. $37^{\circ}36'30''$ E. 542.20 feet to a point; thence S. $0^{\circ}04'55''$ E. 970.00 feet to a point on the Northerly right of way line of said Midland Road; thence S. $89^{\circ}54'05''$ W. along said right of way line, 330.00 feet to the true point of beginning.

EXHIBIT B

Name and Last Known Address

Doug Staff
c/o Thomas A. Aceituno
P.O. Box 189
Folsom, California 95763

Renee Staff
c/o Keith Y. Boyd, Attorney
Mulheim, Boyd & Carroll
88 E. Broadway
Eugene, Oregon 97401

Thomas A. Aceituno
P.O. Box 189
Folsom, California 95763

Bell & Howell Financial Services Company
c/o 2999 Overland Ave., Ste. #204
Los Angeles, CA 90064

Michael J. Farrell
Martin, Bischoff, Templeton, et al.
900 Pioneer Tower
888 SW 5th Ave.
Portland, Oregon 97204

DaimlerChrysler Services North America LLC
c/o Lee M. Hess
1000 S.W. Broadway, Suite 1780
Portland, Oregon 97205

Mishell Barlow
2606 Old Midland Rd.
Klamath Falls, OR 9763

Nature of Right, Lien or Interest

Grantor and fee interest holder
(subject to interest of Bankruptcy Trustee)

Grantor and fee interest holder
(subject to the interest of Bankruptcy Trustee)

Trustee in Bankruptcy of Doug Staff
and Renee Staff and Fee interest holder
pursuant to United States Bankruptcy
Court Eastern District of California
Case No. 02-24209-C-7

Judgment lien creditor pursuant to
Judgment entered in Klamath County
Circuit Court Case No. 0203075CV

Judgment lien creditor pursuant to
attorney fee judgment entered
in Klamath County Circuit Court
Case No. 0203075CV

Pendency of action in Klamath County
Circuit Court Case No. 0204235CV

Tenant/Occupant
3203 Old Midland Rd.