

03 DEC 24 AM 11:20

NK-63617

**NOTICE OF DEFAULT AND
ELECTION TO SELL**

RE: Trust Deed from

Tammy J. Anderson
Grantor

To.

Timmothy E. Miller
Trustee.

After recording return to:

Laura J. Walker
Cable Huston Benedict et al
1001 SW Fifth Street #2000
Portland Oregon, 97204

Vol M03 Page 93087

State of Oregon, County of Klamath
Recorded 12/24/03 11:20 a. m
Vol M03 Pg 93087
Linda Smith, County Clerk
Fee \$ 31⁰⁰ # of Pgs 3

SPACE RESERVED FOR RECORDER'S USE

Reference is made to that certain trust deed made by Tammy J. Anderson as grantor, to Timmothy E. Miller, as trustee, in favor of Green Tree Financial Corporation, as beneficiary, dated August 15, 1994, recorded on August 29, 1994 in the records of Klamath County, Oregon Microfilm Records M94, page 27049, and re-recorded on September 1, 1994, Microfilm Records M94, page 27449 covering the following described real property situated in the above-mentioned county and state, to wit:

Lot 11, Block 26 of Tract 1005, FOURTH ADDITION TO KLAMATH RIVER ACRES, 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 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:

Seven monthly payments of \$579.06 each due for the months of June 2003 through December 2003 with interest accruing thereon at the contract rate of 10% per annum or \$15.27 per diem until paid in full, plus costs and attorneys fees.

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	\$ 57,591.10
Interest as of December 11, 2003:	\$ 2,947.11
Foreclosure Guarantee	\$ 324.00

Beneficiary is also entitled to costs and attorney fees.

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

20-31 am

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 compensation of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

This 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 May 14, 2004, at the Klamath County Courthouse, 316 Main Street, 2nd floor, 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:

SEE 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 or 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 18th of December, 2003

Laura J. Walker
Trustee

STATE OF OREGON, COUNTY OF Multnomah)ss
This instrument was acknowledged before me on 12-18, 2003
By Laura J. Walker

Michele Bradley
Notary Public for Oregon
My commission expires 03-30-04



EXHIBIT A

CITIFINACIAL
2848 S. 6th Street
Klamath Falls, OR 97603
Trust Deed

Neal G. Buchanan
435 Oak
Klamath Falls, OR 97601
Attorneys for Carter Jones Collections, LLC

Carter Jones Collections, LLC
1143 Pine St.
Klamath Falls, Or 97601
Judgment, Klamath County Case No. 9600222 CV
Judgment, Klamath County Case No. 98 02848 CV

Education Credit Management Corp
101 E. 5th St. #2400
St. Paul, MN 55101
Assignment of Judgment, Klamath County Oregon, Case No. 9603953 CV

Robert M. Barley
Revenue Supervisor
Oregon Student Assistance Commission
1500 Valley River Drive, Suite 150
Eugene, OR 97401
Judgment Klamath County Case No. 9603953 CV

David N. Hicks
DOJ
1162 Court Street NE
Salem, OR 97310
Attorneys for Oregon Student Assistance Commission

Basin Fertilizers & Chemical Co.
PO Drawer X
Merrill OR 97633
Judgment, Klamath County Case No. 0003068 CV

John D. Albert
Albert & Tweet
PO Box 968
Salem, OR 97308
Attorneys for Basin Fertilizers & Chemical Co.

McMahan's Furniture Company
6320 SO 6th Street
Klamath Falls, Or. 97601
Judgment, Klamath County Case No. 0100088 CV