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**NOTICE OF DEFAULT  
AND ELECTION TO SELL**

RE: Trust Deed from

Ted L. Hall

To

Grantor

Aspen Title & Escrow

Trustee

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

James P. Laurick

Kilmer, Voorhees & Laurick

732 NW 19th Avenue

Portland, OR 97209

SPACE RESERVED  
FOR  
RECORDER'S USE

State of Oregon, County of Klamath

Recorded 02/06/2004 10:43 a m

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Linda Smith, County Clerk

Fee \$ 31.00 # of Pgs 3

*ATE 5/15/01*

Reference is made to that certain trust deed made by Ted L. Hall

\_\_\_\_\_, as grantor, to  
Aspen Title & Escrow \_\_\_\_\_, as trustee,  
in favor of GreenPoint Credit, LLC \_\_\_\_\_, as beneficiary,  
dated July 31, 2000 \_\_\_\_\_, recorded on August 9, 2000 \_\_\_\_\_, in the Records of  
Klamath \_\_\_\_\_ County, Oregon, in book ~~recd~~ volume No. M-00 \_\_\_\_\_ at page 29115 \_\_\_\_\_, ~~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 5, Block 7, ORIGINAL PLAT OF KLAMATH RIVER ACRES,  
according to the official plat thereof on file in the  
office of the 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:

SEE EXHIBIT "A"

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:

SEE EXHIBIT "A"

(OVER)

314

07257



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 July 16, 2004, at the following place: Klamath County Courthouse  
316 Main Street 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

Ted L. Hall  
 15507 Riveredge Road  
 Klamath Falls, OR 97601

Grantor on Deed of Trust dated  
 July 31, 2000

Ted L. Hall  
 PO Box 5062  
 Klamath Falls, OR 97601

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 February 2, 2004

James P. Laurick

Successor ☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Multnomah

This instrument was acknowledged before me on Feb 2, 2004 ss. James P. Laurick

This instrument was acknowledged before me on \_\_\_\_\_

by \_\_\_\_\_

as \_\_\_\_\_

of \_\_\_\_\_



Heather Becker  
 Notary Public for Oregon

My commission expires 1/6/08

## EXHIBIT A

**DEFAULT AMOUNT**

Payment Date	Amount
09/01/03	\$407.38
10/01/03	\$407.38
11/01/03	\$407.38
12/01/03	\$407.38
01/01/04	\$407.38
02/01/04	\$407.38
TOTAL DEFAULT:	<u>\$2,444.28</u>

**TOTAL DUE AND OWING**

Principal	\$41,983.95
Other Fees	\$ 2,216.87
Side Notes	\$ 525.00
Late Charges	<u>\$ 45.00</u>
Total	\$44,770.82