

NJC-64760

RETURN TO:  
Brandsness, Brandsness,  
Rudd & Bunch, P.C.  
411 Pine Street  
Klamath Falls, OR 97601

Vol M04 Page 25653

State of Oregon, County of Klamath  
Recorded 04/28/2004 3:10 pm  
Vol M04 Pg 25653  
Linda Smith, County Clerk  
Fee \$ 21.00 # of Pgs 1

**TRUSTEE'S NOTICE OF DEFAULT  
AND ELECTION TO SELL AND OF SALE**

Reference is made to a certain trust deed ("Trust Deed") made, as follows:

Floyd Gaunt, Grantor; Mountain Title Company of Klamath County, Trustee; and Harry G. Childers and Barbara L. Childers or the survivor thereof, Beneficiary, recorded in Official/Microfilm Records, Volume M95, Page 32106, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, commonly known as 5396 A Highway 66, Klamath Falls, OR 97601 ("Property"):

Lots 3, 4, 5 and 6 in Block 3 of FAIRHAVEN HEIGHTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

The defaults for which foreclosure is made is grantor's failure to pay when due the following sums:

Failed to make payment due November 27, 1998; failed to pay 2000-2001, 2001-2002, 2002-2003 and 2003-2004 Klamath County Real Property taxes.

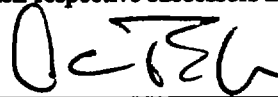
By reason of said defaults, the beneficiary has declared all sums owing on the obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:

\$40,500 principal plus accrued interest as of January 7, 2002 of \$4,216.51; Klamath County Real Property Taxes in the total amount of \$2,079.52, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.

WHEREFORE, notice hereby is given that the undersigned trustee will, on September 10, 2004, at the hour of 10:00 o'clock a.m., in accord with the standard of time established by ORS 187.110, at the following place: Offices of Brandsness, Brandsness, Rudd & Bunch, P.C., 411 Pine Street, Klamath Falls, Oregon, sell at public auction to the highest bidder for cash the interest in the above-described Property, which the grantor had or had power to convey at the time of the execution by grantor of the said Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 said sum 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 ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes each and every grantor, any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said Deeds of Trust, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

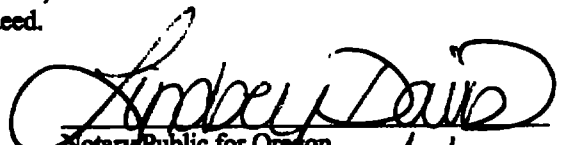
Dated: April 27 2004.

  
Andrew C. Brandsness, Successor Trustee  
411 Pine Street  
Klamath Falls, OR 97601

STATE OF OREGON                    )  
  ) ss.  
County of Klamath                )

Personally appeared before me this \_\_\_\_ day of April, 2004, the above-named Andrew C. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.



  
Notary Public for Oregon  
My Commission expires: 3/5/07

2/00  
Am