

After Recording Return to:
Stanley E. Clark, P.C.,
Attorney At Law
P.O. Box 668
Redmond, OR 97576

State of Oregon, County of Klamath
Recorded 06/01/2004, 8:36 a m
Vol M04 Pg 34811
Linda Smith, County Clerk
Fee \$ 21.00 # of Pgs 1

6 *Amended*
NOTICE OF DEFAULT & ELECTION TO SELL

Stanley E. Clark, Successor Trustee under the Trust deed described below hereby elects to sell, pursuant to Oregon Revised Statutes Sections 86.705 to 86.795, the real property described below at 10:00 a.m on November 3, 2004, at the front door of the State Police Office in Gilchrist, Klamath County, Oregon. All obligations of performance which are secured by the Trust Deed hereinafter described are in default for reasons set forth below and the beneficiary declares and has declared all sums due under the note secured by the Trust Deed described herein immediately due and payable.

GRANTOR: Francine Leach
DESIGNATED BENEFICIARY: Carl Smith and Bonnie Smith, husband and wife, or the survivor thereof.
CURRENT BENEFICIARY: Bonnie Smith, surviving spouse of Carl Smith, deceased.
TRUST DEED: Dated February 22, 2002, Recorded March 4, 2002 at Volume M02, page 12998, Microfilm Records of Klamath County, Oregon securing the amount of \$40,000

PROPERTY COVERED BY TRUST DEED:

Lot 6 in Block 8 of FAIRVIEW ADDITION NO. 2, to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

DEFAULT: Failure to Pay installments due on the note secured by the said trust deed in the amount of \$500 per month, including interest on the unpaid principal balance at the annual rate of twelve percent (12%) per annum, beginning with the month of September, 2003, and all installments due thereafter.

In addition, the Grantor is liable for Trustee's Fees and Trustee's Attorney Fees and Trustee's Sale Guarantee in the amount of \$252.

SUM OWING ON OBLIGATION SECURED BY TRUST DEED:

The principal balance of \$37,688.42, together with accrued interest thereon at the rate of 12% per annum in the amount of \$2,465.75, plus \$12.39 per day after April 14, 2004, until paid.

Notice is hereby given that any person named in Section 86.753, Oregon Revised Statutes, has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by curing the above-described default by payment of the entire amount due, other than such portions of principal as would not then be due had no default occurred, and by paying all costs and expenses actually incurred in enforcing the obligation and the Trust Deed, together with Trustee's and Attorneys Fees at any time prior to five (5) days before the date set for the sale.

Dated: May 20, 2004

Stanley E. Clark, Successor Trustee

STATE OF OREGON)
) ss
County of Deschutes)



On the 20th day of May, 2004, Stanley E. Clark appeared before me and acknowledged the foregoing instrument to be his voluntary act and deed.

Jessie L. Fuchs
Notary Public for Oregon

cc: Dave Davis