

NS

Vol M04 Page 368749NOTICE OF DEFAULT
AND ELECTION TO SELL

RE: Trust Deed from

Charles Green and Janet Green
833 East Main Street
Klamath Falls, OR 97601

To

Grantor

California-Oregon Telecomm. Co.

Trustee

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

James R. Uerlinga
Boivin, Uerlinga & DiIaconi, P.C.
803 Main Street, Suite 201
Klamath Falls, OR 97601SPACE RESERVED
FOR
RECORDERS USEState of Oregon, County of Klamath
Recorded 06/08/2004 3:24 p m
Vol M04 Pg 36874-77
Linda Smith County Clerk
Fee \$ 36.00 # of Pgs 4Reference is made to that certain trust deed made by Charles Green and Janet GreenCalifornia-Oregon Telecommunications Co., as grantor, to
Robert W. Edgar and Bette J. Edgar, now known as Bette J. Reeves, as trustee,
in favor of Robert W. Edgar and Bette J. Edgar, now known as Bette J. Reeves, as beneficiary,
dated September 30, 2000, ~~1999~~, recorded October 10, 2000, ~~1999~~, in the Records of
Klamath County, Oregon, in book and volume No. M00 at page 37070, 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 Exhibit A - Part 1, attached hereto and incorporated by this reference.

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) Monthly payments totaling \$1200 each month for the months of September 2003 through May 2004 & thereafter & \$100 balance of August 2003 payment; 2) Failure to pay real property taxes delinquent in the amount of \$5483.10 plus interest and penalties; 3) Failure to provide proof of insurance on the premises; 4) Failure to pay advances, if any, by beneficiary to pay delinquent taxes and/or insurance; and 5) Failure to keep the property free and clear of the liens identified on Exhibit A - Part 2.

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:

\$117,620.88 plus interest from April 27, 2004 until paid, beneficiary's attorney fees, trustee fees, all costs of foreclosure, and any property taxes or insurance premiums advanced by beneficiary to protect her interest.

(OVER)

04 JUN 8 PM 3:24

36F



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 11:30 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on October 26, 2004, ~~19~~, at the following place: 803 Main Street, Suite 201 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
1) Klamath County Tax Collector 305 Main Street, Klamath Falls, OR 97601	County Tax Warrants: 20000781, 2001203, 2002734, 20030631
2) Oregon Employment Department 875 Union St NE, Rm 107, Salem, OR 97311	Employment Dept. Warrants: 80556, 75734, 77773
3) Shan R. Britton PO Box 993, Madras, OR 97741	Judgment in Klamath County Circuit Court Case #0102852CV
4) Highland Community Federal Credit Union 3737 Shasta Way, Klamath Falls, OR 97603	Judgment in Klamath County Circuit Court Case #0200835CV
5) West One Auto Center 1930 S 6th St, Klamath Falls, OR 97603	Judgment in Klamath County Circuit Court Case #0201801CV

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 June 7, 2004, 790.

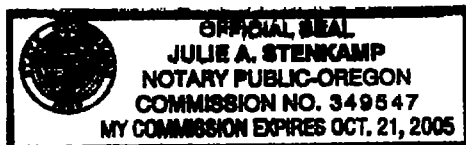
James R. Uerlings
James R. Uerlings

Successor ☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on June 7, 2004, ~~19~~,
by James R. Uerlings

This instrument was acknowledged before me on _____, 19____,
by _____
as _____
of _____



Julie A. Stenkamp
Notary Public for Oregon
My commission expires 10/21/05

**Exhibit A
Part 1**

Real property in the County of Klamath, State of Oregon, commonly known as 833 East Main Street, Klamath Falls, more particularly described as follows:

All of Lots 594 and 595, Block 108, MILLS ADDITION 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, EXCEPT the following:

Beginning at a point 55 feet East from the Southwest corner of Lot 595 in Block 108 of Mills Addition to the City of Klamath Falls, Oregon (as shown on the recorded plat thereof), thence North and at right angles to the North line of Darrow Street, a distance of 70 feet; thence East and parallel to the North line of Darrow Street, a distance of 45 feet; thence South and at right angles to Darrow Street a distance of 70 feet to the North line of Darrow Street; thence along the North line of Darrow Street Westerly a distance of 45 feet to the point of beginning.

Tax Parcel No. R479798

Beneficiaries' interest assigned by operation of Dissolution of Marriage Judgment entered in the Klamath County Circuit Court Case #99-01411CV on October 6, 2000 from Robert W. Edgar and Bette J. Edgar to Bette J. Edgar only.

Bette J. Edgar is now known as Bette J. Reeves.

James R. Uerlings, attorney at law, appointed successor trustee on May 18, 2004 and recorded in Vol M04, at page 31161 in the office of the County Clerk of Klamath County, Oregon.

Part 2

1. A County Tax Warrant for the amount herein stated, plus interest and statutory charges:
Warrant No.: 20000781
Entered: 04/16/01
Recorded: April 25, 2001 in Volume M01, page 18410, records of Klamath County, Oregon
Amount: \$292.51
Debtor: East Main Auto & 4x4 & Green, Charles & Sue
2. Judgment.
In Favor of: Shan R. Britton
Against: Charles Green and East Main Auto Repair
Amount: \$2,641.00, together with interest, costs and attorneys' fees, if any
Dated: December 5, 2001
Filed: December 5, 2001
Judgment No.: 0102852CVT
Case/Cause No.: 0102852CVT
Attorney for Judgment Creditor: N/A
3. A County Tax Warrant for the amount herein stated, plus interest and statutory charges:
Warrant No.: 2001203
Entered: 04/15/02
Recorded: April 8, 2002 in Volume M02, page 20395, records of Klamath County, Oregon
Amount: \$845.60
Debtor: East Main Auto & 4x4 & Green, Charles & Sue

4. Judgment.
In Favor of: Highland Community Federal Credit Union
Against: Charles Bennett Green and Janet Susan Green
Amount: \$15,056.74, together with interest, costs and attorneys' fees, if any
Dated: May 13, 2002
Filed: May 13, 2002
Judgment No.: 0200835CV
Case/Cause No.: 0200835CV
Attorney for Judgment Creditor: Neal G. Buchanan
5. Judgment.
In Favor of: West One Auto Center
Against: Charles B. Green/dba East Main 4x4
Amount: \$1,075.79, together with interest, costs and attorneys' fees, if any
Dated: June 6, 2002
Filed: June 13, 2002
Judgment No.: 0201801CV
Case/Cause No.: 0201801CV
Attorney for Judgment Creditor: N/A
6. A State Revenue Tax Warrant for the amount herein stated, plus interest and statutory charges:
Warrant No.: 75734
Entered: February 24, 2003
Recorded: March 3, 2003 in Volume M03, page 12808, records of Klamath County, Oregon
Amount: \$623.74
Debtor: Janet S. Green & Charles B. Green, individually, and dba East Main Auto & 4x4 Repair
7. A County Tax Warrant for the amount herein stated, plus interest and statutory charges:
Warrant No.: 2002734
Entered: 04/15/03
Recorded: May 1, 2003 in Volume M03, page 28814, records of Klamath County, Oregon
Amount: \$1,228.11
Debtor: East Main Auto & 4x4 & Charles Green & Sue Green
8. A State Revenue Tax Warrant for the amount herein stated, plus interest and statutory charges:
Warrant No.: 77773
Entered: June 9, 2003
Recorded: July 15, 2003 in Volume M03, page 49161, records of Klamath County, Oregon
Amount: \$452.12
Debtor: Janet S. Green & Charles B. Green, individually, and dba East Main Auto & 4x4 Repair
9. A State Revenue Tax Warrant for the amount herein stated, plus interest and statutory charges:
Warrant No.: 80556
Entered: March 15, 2004
Recorded: March 19, 2004 in Volume M04, page 15650, records of Klamath County, Oregon
Amount: \$687.57
Debtor: Janet S. Green & Charles B. Green, individually, and dba East Main Auto & 4x4 Repair
10. A County Tax Warrant for the amount herein stated, plus interest and statutory charges:
Warrant No.: 20030631
Entered: 04/15/04
Recorded: April 14, 2004 in Volume M04, page 21712, records of Klamath County, Oregon
Amount: \$1,743.03
Debtor: East Main Auto & 4x4 & Charles & Sue Green