

04 OCT 27 AM 11:05

MTL - 67816

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AFTER RECORDING RETURN TO:
Hershner Hunter, LLP
Attn: Carol B. Mart
P.O. Box 1475
Eugene, OR 97440

State of Oregon, County of Klamath
Recorded 10/27/04 11:05 a m
Vol M04 Pg 73432-33
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL
UNDER TERMS OF TRUST DEED

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES:

Grantor:	MONICA L. MITCHELL
Trustee:	WILLIAM L. SISEMORE
Successor Trustee:	NANCY K. CARY
Beneficiary:	STERLING SAVINGS BANK, successor to Klamath First Federal Saving and Loan Association

2. DESCRIPTION OF PROPERTY: The real property is described as follows:

Parcel 2 of Land Partition 6-97 being a portion of Lot 12 of PIEDMONT HEIGHTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, together with that portion of vacated Jones Avenue which inured thereof. TOGETHER WITH AN EASEMENT 30 feet in width over and across the Easterly 30 feet of Lots 3 and 12 of PIEDMONT HEIGHTS, as reserved in instrument recorded in Volume M96, Page 25261, and Volume M96, Page 25265, Microfilm Records of Klamath County, Oregon.

3. RECORDING. The Trust Deed was recorded as follows:

Date Recorded: March 3, 2000
Volume M00, Page 6878
Official Records of Klamath County, Oregon

4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: Monthly payments in the amount of \$550.00 each, due the first of each month, for the months of July through October, 2004; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$55,264.78 plus interest at the rate of 8.75% per annum from June 1, 2004; plus late charges of \$113.50; plus advances and foreclosure attorney fees and costs.

6. ELECTION TO SELL. The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed.

2100 am

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7. TIME OF SALE.

Date: March 10, 2005

Time: 11:00 a.m. as established by ORS 187.110

Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon

8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

DATED: October 25, 2004.

Nancy K. Cary, Successor Trustee

Hershner Hunter, LLP

PO Box 1475

Eugene OR 97440

STATE OF OREGON)
) ss.
COUNTY OF LANE)

The foregoing instrument was acknowledged before me on October 25, 2004, by NANCY K. CARY.

Carol B Mart

Notary Public for Oregon

My Commission Expires: 11-23-07

(TS #21669.30068)

Telephone: (541) 686-0344

