

NOV 5 AM 10:42



NOTICE OF DEFAULT AND ELECTION TO SELL

Vol M04 Page 76061

RE: Trust Deed from

Miranda A. Dreaan

To

Grantor

Paul Heatherman

SPACE RESERVED
FOR
RECORDER'S USE

Trustee

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

Paul Heatherman
1195 NW Wall St
Bend, OR 97701

State of Oregon, County of Klamath

Recorded 11/05/04 10:42 a mVol M04 Pg 76061-62

Linda Smith, County Clerk

Fee \$ 26⁰⁰ # of Pgs 2Reference is made to that certain trust deed made by Miranda A. Dreaan

Paul Heatherman, as grantor, to
Tenn S. Dunlap, as trustee,
in favor of Tenn S. Dunlap, as beneficiary,
dated 12-06-2002, 19, recorded 1-22-2003, 19, in the Records of
Klamath County, Oregon, in book/reel/volume No. M-03 at page 3945, 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 9, Block 20, Tract 1082, Third Addition to
River Pines Estates

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:

\$ 2,250.⁰⁰

Two thousand two hundred and fifty

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:

\$ 48,744.⁴³

Forty-eight thousand seven hundred and forty-four & ⁴³/₁₀₀

(OVER)

26✓



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 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on March 25, 2005, 19, at the following place: Klamath County Courthouse 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

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 Nov. 2, 2004, OR.

Paul B. Heatherman

☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Deschutes ss.

This instrument was acknowledged before me on _____, 19____,

by _____ This instrument was acknowledged before me on Nov. 2, 2004, 19____,

by Paul B. Heatherman

as trustee

of Trust Deed (Dream to Dunlap)

Linda Kerr
Notary Public for Oregon

