

05 FEB 11 PM 3:29

05 FEB 17 PM 3:41

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Loan No: 66171100513944

T.S. No: 09235OR

Record and Return to:

Meridian Trust Deed Service
4675 MacArthur Court Suite 1520
Newport Beach, CA 92660
949-477-5830

State of Oregon, County of Klamath

Recorded 02/11/05 3:29 p m

Vol M05 Pg 09874-75

Linda Smith, County Clerk

Fee \$ 36⁰⁰ # of Pgs 4

State of Oregon, County of Klamath

Recorded 02/17/2005 3:41 p m

Vol M05 Pg 11042-45

Linda Smith, County Clerk

Fee \$ 36⁰⁰ # of Pgs 4

*Re-recording to correct legal description

ST 525720

NOTICE OF DEFAULT AND ELECTION TO SELL

T.S. No. 09235OR

Loan No. 66171100513944

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 said Trust Deed to satisfy the obligations secured thereby;

A. PARTIES IN THE DEED OF TRUST:

GRANTOR(S): LOUISA MA~~SE~~ BROWN

TRUSTEE: AMERITITLE

SUCCESSOR TRUSTEE: FIRST AMERICAN TITLE INSURANCE COMPANY

BENEFICIARY: BENEFICIAL OREGON INC. D/B/A BENEFICIAL MORTGAGE CO.

B. DESCRIPTION OF PROPERTY:

SEE EXHIBIT "A".

Property commonly known as: PO BOX 760 715 HWY 422 , NORTH CHILOQUIN, OR 97624

C. TRUST DEED INFORMATION:

DATED DATE: 11-12-1999

RECORDING DATE: 11-17-1999

RECORDING NUMBER: Book: M99 Page: 45576

RERECORDED ON:

RECORDING PLACE: Official records of the County of KLAMATH
State of Oregon

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 debt, or any part thereof, now remaining secured by the said Trust Deed, or, if such action has been instituted, such action has been dismissed except as permitted by O.R.S. 86.735(4).

D. DEFAULT: The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:

1. MONTHLY PAYMENTS:

Monthly installments and late charges from 12-17-2004 plus all subsequent installments and late charges,

TOTAL PAYMENTS & LATE CHARGES

\$1,756.26

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EXHIBIT "A"

BEGINNING AT A POINT WHICH IS NORTH 47 DEGREES AND 12' WEST 760 FEET AND NORTH 30 DEGREES AND 30' EAST 10.2 FEET FROM THE INTERSECTION OF THE WESTERLY LINE OF LALAKES AVENUE WITH THE NORTHERLY LINE OF CHOCKTOOT STREET IN THE TOWNSITE OF WEST CHILOQUIN, THENCE NORTH 47 DEGREES AND 12' WEST PARALLEL AND DISTANT 10 FEET FROM THE COUNTY ROAD, 60 FEET, THENCE NORTH 30 DEGREES AND 30' EAST PARALLEL TO LALAKES AVENUE, 120 FEET; THENCE SOUTH 47 DEGREES 12' EAST 60 FEET; THENCE SOUTH 30 DEGREES 30' AND WEST 120 FEET TO POINT OF BEGINNING; TOGETHER WITH THE RIGHT TO USE FOR STREET PURPOSES A STRIP OF LAND 10 FEET WIDE BETWEEN THE TRACT CONVEYED HEREIN AND THE COUNTY ROAD, AND AN ALLEY 19.6 FEET ALONG THE NORTHERLY END THEREOF.

AKA TO COMPLETE THE LEGAL DESCRIPTION

All that portion of Lot 6 Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point bearing North 47° 12' West 760 feet and North 30° 30' East 10.2 feet from the intersection of the Westerly line of LaLakes Avenue with the Northerly line of Chocktoot Street, in the Townsite of West Chiloquin; thence North 47° 12' West parallel and distant 10 feet from the County road, a distance of 60 feet; thence North 30° 30' East parallel to LaLakes Avenue, a distance of 120 feet; thence South 47° 12' East a distance of 60 feet; thence South 30° 30' West a distance of 120 feet to the place of beginning, also known as Lot 22, Spinks Addition to Chiloquin, an unplatted subdivision.

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2. Other Arrearages: \$0.00
3. **TOTAL AMOUNT DUE:** \$1,756.26

Plus all accrued real property taxes, interest or penalties until paid.

- E. AMOUNT DUE: The beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being:

Principal Balance: \$75,562.76

In addition to said principal, interest at the rate provided in the Note or other instrument secured, shall be payable from 11-17-2004 at 13.494%, late charges as well as Trustee's fees and foreclosure costs, Attorneys fees and costs, and advances arising from the Beneficiary's protection of its security and preservation of the property may accrue after the date of this notice.

- F. ELECTION TO SELL: **NOTICE IS HEREBY GIVEN** That the Beneficiary and Trustee, by reason of said default have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 et. seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in the described property which the Debtor(s) had, or had the power to convey, at the time of the execution of the Trust Deed together with any interest the Grantor or successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed together with the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of the Trustee's Attorney.

- G. TIME AND PLACE OF SALE:

TIME : 10:00 AM, 07-05-2005,

PLACE: ON THE FRONT STEPS OF THE KLAMATH FALLS COUNTY CIRCUIT COURT.
316 MAIN STREET, KLAMATH FALLS, OR

Other than as shown of record, neither the said beneficiary nor the said 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 the grantor or of any lessee or other person in possession of or occupying the property, except:

NONE

- H. RIGHT TO REINSTATE: **NOTICE IS FURTHER GIVEN** That at any time prior to five days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee 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 sums or tendering the performance necessary to cure the default, by paying all costs and expenses to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed, together with Trustee's fees and Attorney's fees not exceeding the amounts provided by said O.R.S. 86.753.

In construing this notice, the singular gender 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 said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

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FOR TRUSTEE SALE INFORMATION PLEASE CALL (916)974-6099

*****THIS OFFICE IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED
WILL BE USED FOR THAT PURPOSE*****

Dated: February 10, 2005

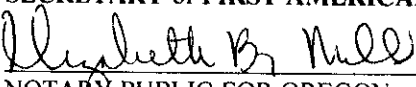
FIRST AMERICAN TITLE INSURANCE
COMPANY, SUCESSOR TRUSTEE

Address for Trustee:
FIRST AMERICAN TITLE INSURANCE COMPANY
c/o Meridian Trust Deed Service
4675 MacArthur Court Suite 1520
Newport Beach, CA 92660
949-477-5830


By: **DENNIS CANLAS**
It's: ASSISTANT SECRETARY

STATE OF CALIFORNIA
COUNTY OF ORANGE

This instrument was acknowledged before me on 02/10/05, by **DENNIS CANLAS** ASSISTANT
SECRETARY of FIRST AMERICAN TITLE INSURANCE COMPANY,.


NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: _____

