

05 FEB 22 AM 10:15

**NOTICE OF DEFAULT
AND ELECTION TO SELL**Vol M05 Page 11383

RE: Trust Deed from

Claude E. Collins and Sharon N. Collins

To Grantor

Mountain Title Company of Klamath County

(Neal G. Buchanan, Attorney at Law)

as Successor

Trustee

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

Neal G. Buchanan

435 Oak Avenue

Klamath Falls, Oregon 97601

State of Oregon, County of Klamath

Recorded 02/22/2005 10:15a mVol M05 Pg 11383-84

Linda Smith, County Clerk

Fee \$ 26.00 # of Pgs 2Reference is made to that certain trust deed made by Claude E. Collins and Sharon N. Collins, husband and wifeMountain Title Company of Klamath County (Neal G. Buchanan, Attorney at Law, successor)*, as grantor, to
in favor of Gleta Wampler, as trustee,dated November 7, 1991 (signed 11-18-91), recorded on December 10, 1991, as beneficiary,Klamath County, Oregon, in book/reel/volume No. M91 at page 25700, in the Records of
fee/file/instrument/microfilm/reception No. 38420 (indicate which), covering the following described real property
situated in the above-mentioned county and state, to-wit:Lot 8, Block 9, FIRST ADDITION TO SPRAGUE RIVER PINES, TRACT 1107, according to the
official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.*By Appointment of Successor Trustee recorded Vol M05, Page 10795 on 2/16/05, Neal G. Buchanan, Attorney
at Law was appointed successor trustee.

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: delinquency in the making of monthly installment payments totaling \$5,636.75 through the payment otherwise due December 10, 2004, together with monthly installments in the sum of \$160.57 (plus collection fees) due the 10th day of January, 2005 and the 10th day of each month thereafter.

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: principal balance in the sum of \$6,007.39 together with interest on said sum at the rate of 9.5% from December 26, 2002 until paid; all costs and expenses including evidence of title and the beneficiary's or trustee's attorney's fees

(OVER)



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 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on July 13, 2005, at the following place: Law office of Neal G. Buchanan,
435 Oak Avenue 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

Trust Deed Grantors

Claude E. Collins and Sharon N. Collins
 13935 Chicarita Creek Rd.
 San Diego, California 92128-3622

Fee Owner

Sharon N. Collins, Trustee of the
 Sharon N. Collins Trust uad October 28, 1996
 13935 Chicarita Creek Rd.
 San Diego, CA 92128-3622

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 February 18, 2005

Neal G. Buchanan
 NEAL G. BUCHANAN

Successor ☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on February 22, 2005
 by Neal G. Buchanan

This instrument was acknowledged before me on _____
 by _____
 as _____
 of _____



Marsha Cobine
 Notary Public for Oregon
 My commission expires 11-7-07