

05 FEB 24 PM 3:44

Vol M05 Page 12234

**AMENDED NOTICE OF DEFAULT
AND ELECTION TO SELL**

RE: Trust Deed from

Michelle Pryor

Grantor

To.

**Glenn H. Prohaska, Attorney at Law
Trustee.**

After recording return to:

Laura J. Walker

Cable Huston Benedict et al

1001 SW Fifth Avenue #2000

Portland Oregon, 97204

State of Oregon, County of Klamath
Recorded 02/24/2005 3:44 p. m
Vol M05 Pg 12234-35
Linda Smith, County Clerk
Fee \$ 26⁰⁰ # of Pgs 2

1st 525753

SPACE RESERVED FOR RECORDER'S USE

Reference is made to that certain trust deed made by Michelle Pryor as grantor, to Glenn H. Prohaska, Attorney at Law as trustee, in favor of Conseco Finance Servicing Corp. as beneficiary, dated NONE SHOWN, recorded on December 5, 2000 at Volume M00, Page 43715, Records of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, to wit:

Parcel 3 of Land Partition 24-99 being a portion of Parcel 3 of "Land Partition 12-94" situated in the SE ¼ SW ¼ of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon. Together with an easement for access and public utilities over, across and under the easterly 30 feet of Parcels 1 and 2 of said Land Partition 24-99 as delineated on the face of said land partition.

***Note: this notice of default amends the notice of default recorded on September 21, 2001 as Volume M01 Page 48162 in the records of Klamath County.

The undersigned Trustee, Laura J. Walker, 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 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:

Five monthly payments of \$654.61 each due for the months of November 2004 through February 2005 with interest accruing thereon at the contract rate of 6% per annum or \$17.71 per diem until paid in full, plus costs and attorneys fees.

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	\$ 107,723.08
Interest and fees as of February 22, 2005:	\$ 6,919.87
Title Report	\$ 475.00
Beneficiary is also entitled to costs and attorney fees.	

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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 compensation of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

This sale will be held at the hour of **10:00 o'clock, a.m.**, in accord with the standard of time established by ORS 187.110 on **July 22, 2005**, at the **Klamath County Courthouse, 316 Main Street, 2nd floor, 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: unpaid property taxes and easements and:

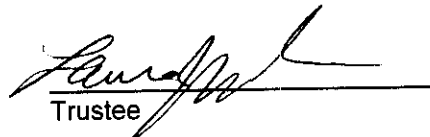
Credit Bureau of Klamath County
839 Main Street
Klamath Falls, OR 97601

Judgment, Case # 0401863 CV

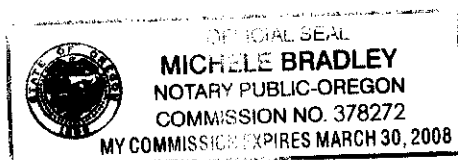
Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary or the entire amount then due (other than such portion 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 this 22nd day of February, 2005.


Trustee

STATE OF OREGON, COUNTY OF Multnomah)ss
This instrument was acknowledged before me on February 22, 2005
By Laura J. Walker




Michele Bradley
Notary Public for Oregon
My commission expires 03-30-08