NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from DEBORAH J. ALLEN and JOSEPH L. RIESCH and JOAN R. RIESCH

To Grantor

ASPEN TITLE & ESCROW, INC.

(Neal G. Buchanan, Attorney at Law as Successor)

Trustee

After recording, return to (Name, Address, ZIp):
NEAL G. BUCHANAN

435 Oak Avenue
Klamath Falls OR 97601

2009-011747 Klamath County, Oregon



09/01/2009 01:21:17 PM

Fee: \$26.00

Reference is made to that certain trust deed made by DEBORAH J. ALLEN and JOSEPH L. RIESCH and
JOAN R. RIESCH, as grantor, to
ASPEN TITLE & ESCROW, INC.
in favor of ALETHA WOOD and CLARA HOWARD, with full rights of survivorship, as beneficiary,
dated August 18, 2002 , recorded on August 20, 2002 , in the Records of
Klamath County, Oregon, in book reel volume No. MO2 at page 46892
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:
Let 11 in Plack Q NORTH RIV according to the official plat thorout on file in the

office of the Clerk of Klamath County, Oregon

TOGETHER WITH a certain 1973 Bendy manufactured structure bearing Oregon Plate No. X220493 and VIN No. 2831UX which is firmly affixed thereto.

By Appointment of Successor Trustee recorded at Vol. 2009-007977, Neal G. Buchanan, Attorney at Law, was appointed as Successor Trustee.

By Assignment of Note and Trust Deed recorded at Vol. 2009-003619, Aletha Wood, the Surviving Beneficiary, assigned her beneficiary's interest unto A.L. Wood, Trustee, or her successors in interest under the Aletha I. Wood Living Trust dated February 26, 2009

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: The payment due the 19th day of April, 2008, in the amount of \$625.00 per month, together with collection escrow fees and late payment charges.

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: 1) Principal balance in the sum of \$74,927.64, together with interest thereon at the sum of 6% from August 18, 2008, until paid; and 2) Late payment fees as provided for by the Promissory Note; and 3) All costs, fees and expenses of the Trust, including the cost of title search as well as the other costs and expenses of the Trustee incurred in connection with or enforcing the obligation, and Trustee's and Attorney fees actually incurred.



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 3 anuary 7, 2010 at the following place:

Klamath Falls

County of

Klamath Falls _____ in the City 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: Nature of Right, Lien or Interest Name and Last Known Address Trustee Grantor, Fee Owner Deborah J. Allen, Joseph L. Riesch and and Party in Possession Joan R. Riesch P.O. Box 353, Bly OR 97622 Trustee Grantor, Fee Owner Deborah J. Allen, Joseph L. Riesch and and Party in Possession Joan R. Riesch 4977 Mathers St., Klamath Falls OR 97601-9557 Oregon Construction Contractor's Board Lien recorded at Book 2009 Page 8441 Attn: Maggie Dennett

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 September | 2009

NEAL G. BUCHANAN, Attorney at Law

Successor Trustee Beneficiary (indicate which)

STATE OF OREGON, County of Klamath

This instrument was acknowledged before me on

NEAL G. BUCHANAN

This instrument was acknowledged before me on

by

as

of

OFFICIAL SEAL
SHARON L BROWN
NOTARY PUBLIC - OREGON
COMMISSION NO. 414278
MY COMMISSION EXPIRES FEBRUARY 13, 2011

P.O. Box 14140, Salem OR 97309-5052

Notary Public for Oregon

My commission expires 2-13-11