

Re: Trust Deed from

Graciela Alvarado

**Grantor**

to

AmeriTitle

**Trustee**

**2013-004239**

**Klamath County, Oregon**

**04/22/2013 11:04:55 AM**

**Fee: \$142.00**

**After Recording Return To:**

Benjamin M. Kearney, Successor Trustee

Arnold Gallagher PC

800 Willamette Street, Suite 800

Eugene, OR 97401

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

Reference is made to that certain trust deed made by Graciela Alvarado, as grantor, to AmeriTitle, as trustee, in favor of Siuslaw Bank as beneficiary, dated May 1, 2006, and recorded on May 4, 2006, as Instrument No. M06-08815 of the Official Records of Klamath County, Oregon, and that certain Assignment of Trust Deed dated May 1, 2006 and recorded May 4, 2006 as Instrument No. M06-08816 wherein Oregon Housing and Community Services Department, State of Oregon, was designated as the successor beneficiary, covering the following described real property situated in said county and state, to-wit:

Parcel 2 of Land Partition 68-96, being a portion of Lot 60 of FAIR ACRES SUBDIVISION NO. 1, situated in the W1/2 SE 1/4 of Section 35, Township 38 South Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon. Also to include a manufactured home: 1999 Champion Serial No. 16-99-599-07055 HUD Tags: IDA 181399 and IDA 181400.

The undersigned hereby certifies that no assignment 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 mortgage records of the county or counties in which the above described real property is situated; further, that no action has been instituted to recover the 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 ORS 86.735(4).

There is a default by the grantor or other person owing an obligation, the performance of which is secured by said trust deed, or by their 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: Grantor's failure to pay monthly installment payments due under the Promissory Note in the amount of \$735.00 per month for the months of December 2012, and January, February, March and April 2013.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: the principal balance of \$93,294.60 together with accrued interest through April 10, 2013, in the amount of \$2,167.21 (interest continues to accrue at the rate of \$13.2825 per diem from April 10, 2013 until paid), and late charges in the amount of \$178.86, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

Notice hereby is 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 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 said described property which the grantor had, or had the power to convey, at the time of the execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said 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.

**Said sale will be held at the hour of 11:00 A.M., on November 19, 2013 in accord with the standard time established by ORS 187.110, at the following place: Klamath County Courthouse steps, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for said sale.**

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:

NAME AND LAST KNOWN ADDRESS

NATURE OF RIGHT, LIEN OR INTEREST

Graciela Alvarado  
1260 Homedale Road  
Klamath Falls, OR 97603

Grantor, Occupant

State of Oregon Division of Child Support  
PO Box 14506  
Salem, OR 97309

Junior Lienholder

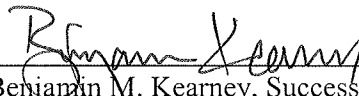
Holly A. Elmore  
1495 Edgewater Street NW, Suite 120  
Salem, OR 97304

Attorney for DCS CSP

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 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's fees not exceeding the amounts provided by said ORS 86.753.

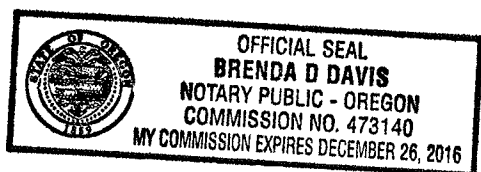
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

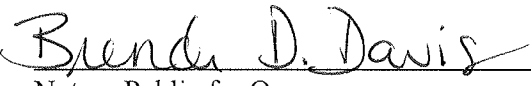
DATED: April 22, 2013

  
Benjamin M. Kearney, Successor Trustee

STATE OF OREGON    )  
                                  ) ss.  
County of Lane        )

This instrument was acknowledged before me on April 22, 2013, by Benjamin M. Kearney, the Successor Trustee.



  
Notary Public for Oregon  
My Commission Expires: 12-26-16