

Vol M02 Page 16935

## State of Oregon, County of Klamath

Recorded 03/22/2002 1:48 p.m.

Vol M02, Pg 16935 - 31

Linda Smith, County Clerk

Fee \$ 31 # of Pgs 3

After recording return to:  
 Christy Melhorn  
 PRESTON GATES & ELLIS LLP  
 222 SW Columbia St., Suite 1400  
 Portland, OR 97201

Trustee:	Linda Johannsen
Beneficiary:	Mortgage Electronic Registration Systems, Inc., solely as nominee for GreenPoint Mortgage Funding, Inc.
Grantor(s):	Robert C. Neal, an unmarried man
Reference:	<u>37543-50293/Robert C. Neal</u>

## NOTICE OF DEFAULT AND ELECTION TO SELL

The Fair Debt Collection Practices Act requires that we state the following: This is an attempt to collect a debt and any information obtained will be used for that purpose.

Reference is made to that certain trust deed made by Robert C. Neal, an unmarried man as grantor(s), to First American Title, as trustee, in favor of Mortgage Electronic Registration Systems, Inc., solely as nominee for GreenPoint Mortgage Funding, Inc., as beneficiary, dated June 19, 2000, recorded June 26, 2000, in Book M-00, Page 23096, in the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to wit:

Lot 4, Block 4, DORREEN MEADOWS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 148945 Paul Drive, La Pine, OR 97739

*Page 2 / NOTICE OF DEFAULT AND ELECTION TO SELL  
37543-50293/Robert C. Neal*

Linda Johannsen, Trustee, 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 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 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: monthly payments of \$1,121.59 beginning December 1, 2001; plus late charges of \$47.61 each month beginning December 16, 2001; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein, or Grantors failure to pay real property taxes or insurance as required by the trust deed.

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: \$105,489.16 with interest thereon at the rate of 10.25 percent per annum beginning November 1, 2001; plus late charges of \$47.61 each month beginning December 16, 2001, until paid; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein, or Grantors failure to pay real property taxes or insurance as required by the trust deed.

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 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 grantor of the trust deed, together with any interest the grantor or grantor's 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 compensation of the trustee as provided by law, and reasonable fees of trustee's attorneys.

Said sale will be held **Friday, July 26, 2002, at the hour of 11:00 A.M.**, in accordance with the standard of time established by ORS 187.110, at the following place: at the office of Brandsness Brandsness & Rudd 411 Pine 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.

Page 3 / Notice of Default and Election to Sell  
37543-50293/Robert C. Neal

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 said 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's fees not exceeding the amounts provided by said 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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

*Linda Johannsen*  
Linda Johannsen, Trustee

State of Oregon )  
 )ss.  
County of Multnomah )

This instrument was acknowledged before me  
On March 21, 2002, by  
Linda Johannsen, Trustee

*Christy L. Melhorn*  
Notary Public for Oregon  
My Commission expires: 12/17/05



NOTICE OF DEFAULT AND ELECTION TO SELL Robert C. Neal, Grantor TO Linda Johannsen, Trustee Client-Matter No. 37543-50293	
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