

05 MAR 11 AM 11:44

Vol M05 Page 16289

**NOTICE OF DEFAULT
AND ELECTION TO SELL**

**RE: Trust Deed from CHARLES R. BOND AND
DEBORAH L. BOND, HUSBAND AND WIFE
Grantor**

**To FIRST AMERICAN TITLE INSURANCE
COMPANY Successor Trustee**

After recording return to(name, address, zip):
**EXECUTIVE TRUSTEE SERVICES, INC.
15455 SAN FERNANDO MISSION BLVD
SUITE #208
MISSION HILLS, CA 91345**

(818) 837-2300

TS No: **OR-78334-F**

SPACE RESERVED
FOR
RECORDER'S USE

State of Oregon, County of Klamath
Recorded 03/11/2005 11:44a m
Vol M05 Pg 16289-91
Linda Smith, County Clerk
Fee \$ 31.00 # of Pgs 3

Loan No: **0357303353**

Reference is made to that certain trust deed made by CHARLES R. BOND AND DEBORAH L. BOND, HUSBAND AND WIFE as grantor, to PACIFIC NORTHWEST TITLE OF OREGON, INC. AN OREGON CORPORATION, as trustee in favor of "MERS" MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR LENDER MORTGAGE MARKET INC., AN OREGON CORPORATION, as beneficiary, dated 12/11/2001, recorded 12/13/2001, in the Records of Klamath County, Oregon, in book M01 at page 63772, 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:

APN: R797212

SEE EXHIBIT A LEGAL DESCRIPTION

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 such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

Delinquent Payments

<u>FROM</u>	<u>THRU</u>	<u>NO. PMT</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>TOTAL</u>
11/1/2004	1/31/2005	3	6.875	\$701.21	\$2,103.63
2/1/2005	3/9/2005	2	6.875	\$699.02	\$1,398.04

Total Late Charges: \$112.08

Beneficiary Advances

MISCELLANEOUS FEES \$1,010.00

\$4,623.75

TOTAL FORECLOSURE COST: \$2,152.16

TOTAL REQUIRED TO REINSTATE: \$6,775.91

F31-

TS No :OR-78334-F

Loan No: 0357303353

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:

UNPAID PRINCIPAL BALANCE OF \$80,841.59; PLUS ACCRUED INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 11/1/2004 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Notice hereby is given that the beneficiary and trustee, by reason of 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 **10:00 AM**, in accord with the standard of time established by ORS 187.110 on **7/29/2005**, at the following place: **ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OREGON**

County of Klamath, State of Oregon, which is the hour, date and place last set for 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


CHARLES R. BOND and DEBORAH L. BOND

P O BOX 501
BIG DIRVEY, WY 83113

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 this 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 March 09, 2005


FIRST AMERICAN TITLE INSURANCE COMPANY
Successor Trustee

STATE OF CALIFORNIA, County of LOS ANGELES

This instrument was acknowledged before me on 3/9/2005 by Karen J. Cooper, Assistant Secretary




Patricia Babb, Notary Public

13# OR-178334-F

"Exhibit A"

A parcel of land located in Block 3 of HESSIG ADDITION TO FORT KLAMATH, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Easterly right of way line of Hessig Street 165.34 feet South, 00° 01' 23" West from the original Northwest corner of Block 3, HESSIG ADDITION TO FORT KLAMATH; running thence East 143.50 feet; thence South 00° 01' 23" West 50.00 feet; thence East 78.50 feet; thence South 00° 01' 23" West 30.00 feet to the centerline of vacated 5th Street; thence along said centerline, West 222.00 feet to the Easterly right of way of Hessig Street, thence along said right of way line; North 00° 01' 23" East 80.00 feet to the point of beginning.