

mtc-78104

M05-67037

Klamath County, Oregon

10/20/2005 02:51:14 PM

Pages 2 Fee: \$26.00

AFTER RECORDING RETURN TO:

Hershner Hunter, LLP

Attn: Carol B. Mart

P.O. Box 1475

Eugene, OR 97440

TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL
UNDER TERMS OF TRUST DEED

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. **PARTIES:**

Grantor:	JOAN GABRIEL HERNANDEZ-ZUNIGA
Trustee:	ASPEN TITLE AND ESCROW, INC.
Successor Trustee:	NANCY K. CARY
Beneficiary:	OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT, STATE OF OREGON, assignee of Umpqua Bank

2. **DESCRIPTION OF PROPERTY:** The real property is described as follows:

Lot 30, KENNICOTT COUNTRY ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

3. **RECORDING.** The Trust Deed was recorded as follows:

Date Recorded: April 30, 2003
Vol. M03, Page 28734
Official Records of Klamath County, Oregon

4. **DEFAULT.** The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: A partial monthly payment in the amount of \$631.00 due May 1, 2005, plus monthly payments in the amount of \$688.00 each, due the first of each month, for the months of June through October 2005; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. **AMOUNT DUE.** The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$80,042.95 plus interest at the rate of 4.95% per annum from April 1, 2005; plus late charges of \$123.20; plus advances and foreclosure attorney fees and costs.

6. **ELECTION TO SELL.** The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed.

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7. TIME OF SALE.

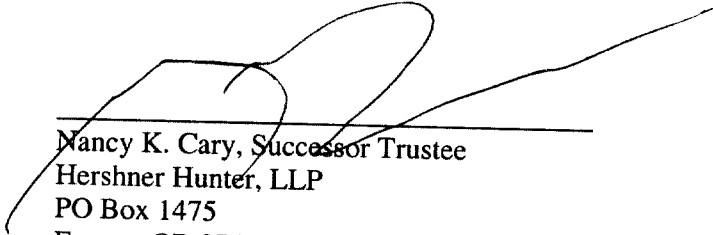
Date: March 2, 2006

Time: 11:00 a.m.

Place: Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon

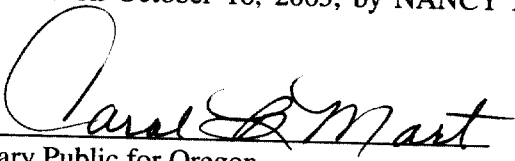
8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure dismissed and the Trust Deed reinstated by payment to the Beneficiary of the entire amount then due, other than such portion of the principal as would not then be due had no default occurred, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

DATED: October 18, 2005.


Nancy K. Cary, Successor Trustee
Hershner Hunter, LLP
PO Box 1475
Eugene OR 97440

STATE OF OREGON)
) ss.
COUNTY OF LANE)

The foregoing instrument was acknowledged before me on October 18, 2005, by NANCY K. CARY.


Notary Public for Oregon
My Commission Expires: 11/23/2007

(TS #30057.30112)
Telephone: (541) 686-0344

