## M05-71036

Klamath County, Oregon 12/14/2005 08:15:54 AM Pages 2 Fee: \$26.00

After recording, return to: William M. Ganong Attorney at Law 514 Walnut Avenue Klamath Falls OR 97601

## NOTICE OF DEFAULT AND ELECTION TO SELL

Pursuant to ORS 86.705-795, the undersigned Trustee and the Beneficiary have elected to foreclose the following described Trust Deed in the manner provided by said statute.

1. A. Grantor: Lisa M. Love

B. Trustee: William M. Ganong

- C. Beneficiary: WMGPS Trust, as to an undivided ½ interest, and BMRMG LLC 401 K Plan as to an undivided ½ interest.
- 2. The legal description of the property covered by the subject Trust Deed is:

A parcel of land lying in the N½ N½ NW½ of Section 34, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at an iron rod marking the Southwest corner of said N½ N½ NW¾ and running; thence East on the South line of said tract 660 feet, thence North parallel to the west line of said Section 34, 330 feet; thence West parallel to the South line of said N½ N½ NW¾ 660 feet to the West line of said Section 34; thence South along said West line 330 feet to the point of beginning.

APN: 251051 3507-03400-00400

The book, page number, and the date the subject Trust Deed was recorded in the Mortgage Records of Klamath County, Oregon are:

Book: M04 Page: 54898 Date Recorded: August 20, 2004

- 3. The default for which the foreclosure is made is the Grantor's failure to pay the principal balance of \$34,750 and interest thereon at the rate of 6.5 percent per annum which were due and payable in full on August 13, 2005; plus a 5% late fee on said principal balance; plus real property taxes and assessments levied against the property for the tax years 2004-2005 and 2005-2006 before they became delinquent.
- 4. The principal and interest owing on the obligation secured by the subject Trust Deed as of August 13, 2005 is \$37,008.75, plus

NOTICE OF DEFAULT AND ELECTION TO SELL - Page 1

- a 5% late fee on the principal sum of \$34,750 of \$1,850.19, plus interest on the principal sum of \$34,750 at the rate of 6.5% per annum from August 14, 2005 until paid. Also owing on the obligation are real property taxes for 2004-2005 in the sum of \$383.59, plus interest and penalties, if any, and for 2005-2006 in the sum of \$397.93, plus interest and penalties, if any.
- 5. The Beneficiary and the Trustee have elected to foreclose the above referenced Trust Deed pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.
- 6. The Trustee will conduct a sale of the above described property at 10:00 a.m. on the 21st day of April, 2006 at the front entrance to the office of William M. Ganong at 514 Walnut Avenue, Klamath Falls, Oregon.
- 7. Pursuant to ORS 86.753, the Grantor, the Grantor's successor in interest to all or any part of the above described property, any beneficiary under a subordinate Trust Deed, or any person having a subordinate lien or encumbrance of record on the property, may cure the default or defaults at any time prior to five days before the above said date of sale by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred. In addition, the person affecting the cure shall pay all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and attorney's fees specified in the said statute.

In construing this instrument, 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 persons owing an obligation, the performance of which is secured by said Trust Deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated this 12 to day of December, 2005.

William M. Gamong / Trustee

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on December 12, 2005 by William M. Ganong as Trustee.

OFFICIAL SEAL
WENDY YOUNG
NOTARY PUBLIC - OREGON
COMMISSION NO. 369756
MY COMMISSION PEXPIRES AUG. 31, 2007

Notary Public for Oregon
My commission expires: 8.3.200'