

M05-67246

Klamath County, Oregon

10/24/2005 11:46:20 AM

Pages 2 Fee: \$26.00

M06-02277

Klamath County, Oregon

02/06/2006 03:31:58 PM

Pages 3 Fee: \$51.00

After recording return to:
Attn: Foreclosure Department
ReconTrust Company, N.A.
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065

RE-RECORDED TO CORRECT LEGAL DESCRIPTION PREVIOUSLY RECORDED
NOTICE OF DEFAULT AND ELECTION TO SELL M05-67246

Reference is made to that certain Trust Deed made by GEORGE C FISCHER, AND MIKELLE L FISCHER, AS TENANTS BY THE ENTIRETY, as grantors, to FIDELITY NATIONAL TITLE INSURANCE CO., as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, dated 04/25/2005, recorded 05/02/2005, in the mortgage records of Klamath County, Oregon, at Page Number 31158 as Recorder's fee/file/instrument/microfilm/reception Number VOL M05, covering the following described real property situated in said county and state, to wit:

See attached Exhibit "A" attached hereto and by this reference made a part hereof.

~~THE SE-1/4 NE-1/4 OF SECTION 7, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.~~

PROPERTY ADDRESS: 5825 WOCUS RD
KLAMATH FALLS, OR 97601-9317

There is default by the grantor or other person, or by their successor in interest, 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 grantors' failure to pay when due the following sums: monthly payments of \$1,120.02 beginning 08/01/2005; plus late charges of \$ 56.00 each month beginning 08/01/2005 payment plus prior accrued late charges of \$.00; plus advances of \$0.00; 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.

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: \$143,829.35 with interest thereon at the rate of 8.625 percent per annum beginning 07/01/2005 plus late charges of \$ 56.00 each month beginning 08/01/2005 until paid; plus prior accrued late charges of \$.00; plus advances of \$0.00; 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.

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from
GEORGE C FISCHER and MIKELLE L FISCHER,
Grantor

To
ReconTrust Company, N.A.,
Trustee

TS No. 05 -16829
Doc ID

#000951527942005N

For Additional Information:

Please Contact
Foreclosure Department
RECONTRUST COMPANY, N.A.
COUNTRYWIDE HOME LOANS, INC.
1757 TAPO CANYON ROAD, SVW-88
SIMI VALLEY, CA 93063
(800)-281-8219

Notice is hereby given that the Beneficiary and Trustee, by reason of said 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 the grantor had, or had the power to convey, at the time the grantor executed 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

Form ORNOD (03/02)

26 E + 20 NS
31F

secured by the Trust Deed and the expenses of the sale, including the compensations of the Trustee as provided by law, and reasonable fees of Trustee's attorneys.

The sale will be held at the hour of 10:00 AM , in accordance with the standard of time established by ORS 187.110 on Thursday, March 02, 2006, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 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 the sale.

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 every other default complained of herein by tendering the performance required under the obligation or Trust Deed, 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 ORS 86.753.

In constructing 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.

ReconTrust Company, N.A.

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.

NARISA CASUGA, Assistant Secretary

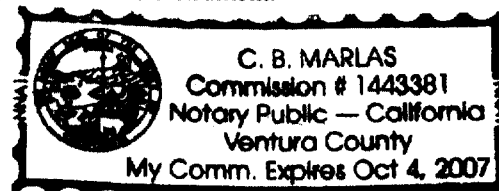
On 10/20/05, before me, C.B. Marlas, personally appeared Narisa Casuga, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

C.B. Marlas
Notary Public for

My commission expires: 10-4-07

(SEAL)



THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.



STATE OF OREGON)

County of KLAMATH)

CERTIFY that this is a true and correct copy of a document in the possession of the Klamath County Clerk.

Dated: 2-6-2006
LINDA SMITH, Klamath County Clerk

By: Kindsey Wisman, Deputy

Form ORNOD (03/02)

EXHIBIT 'A'

Legal Description:

The SE 1/4 NW 1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is North along the quarter line a distance of 371.14 feet from the center of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, and running thence North 89° 49' West a distance of 390.1 feet to a point which is on the Easterly right of way line of the Old Dalles-California Highway; thence North 6° 02' East along said Easterly right of way line a distance of 114.0 feet to a point; thence South 89° 49' East a distance of 378.15 feet to a point which is on the North-South quarter line of said Section 7; thence South along said quarter line a distance of 113.4 feet to the point of beginning.