M06-05931

Klamath County, Oregon 03/30/2006 08:38:25 AM Pages 2 Fee: \$26.00

After recording return to:

David Moule Moule & Frank, Lawyers 259 E. 5th Ave Eugene, OR 97401

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by BRIAN WOLFE and STEPHANIE WOLFE, as grantor, to EVERGREEN LAND TITLE CO., as trustee, in favor of RICHARD F. ERPELDING, M.D., P.C. Retirement Account, as beneficiary, dated November 4, 2005, recorded November 7, 2005 in M05-6844 and re-recorded November 14, 2005 to in the mortgage records of Klamath County, Oregon covering the following described property:

E 1/2 NE1/4 SW 1/4 in Section 10, Township 25 South, Range 8 East of the Willamette Meridian

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary have been made, and that no action has been instituted to recover the debt, or any party thereof, now remaining secured by the deed of trust.

There is a default by the grantor by the failure to pay when due monthly payments of \$903.50 which became due December 7, 2005, January 7, 2006 and February 7, 2006 and March 7, 2006. Interest at the rate of six percent (6%) per annum accrues from November 7, 2005.

Notice is hereby given that the beneficiary has elected to and hereby elects to foreclose the trust deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 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, at the time of the execution by him of the trust deed, to satisfy the obligations secured by said trust deed and the expenses of sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said Sale will be held at the hour of 10:00 a.m. Standard Times as established by section 187.110 of the Oregon Revised Statutes on August 11, 2006 at the entrance of the Klamath County Courthouse, Klamath Falls, Oregon.

The beneficiary has no actual notice of any person having or claiming to have any lien

upon the real property except the grantors.

Notice is further given than 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 proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount due, and in addition to 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.

DATED: March 15, 2006.

RICHARD F. ERPELDING, M.D. P.C.

Richard F. Erpelding, President

STATE OF OREGON ) ss County of Lane )

On March 5, 2006 personally appeared before Richard F. Erpelding, to me known to be the individual described and and who executed the within and foregoing instrument, and acknowledged that he signed the same as the free and voluntary and duly authorized act and deed of the beneficiary of the trust deed, Richard F. Erpelding M.D., P.C.

OFFICIAL SEAL

JENNY L AUTREY

NOTARY PUBLIC-OREGON

COMMISSION NO. 363710

MY COMMISSION EXPIRES DEC 9, 2006

otary Public for Oregon