

mtc-74105

**M06-07089**

Klamath County, Oregon

04/12/2006 10:28:25 AM

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:	TIMOTHY J. MORAN
Trustee:	AMERITITLE
Successor Trustee:	NANCY K. CARY
Beneficiary:	OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT, STATE OF OREGON, assignee of Security Bank

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

Unit 10738, (Kincheloe Avenue), Tract 1336 - FALCON HEIGHTS  
CONDOMINIUMS - STAGE 1 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: August 23, 1999  
Volume M99, Page 34013  
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: Monthly payments in the amount of \$621.00 each, due the first of each month, for the months of December 2005 through April 2006; 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 \$58,987.84; plus interest at the rate of 6.5% per annum from November 1, 2005; plus late charges of \$65.68; 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.

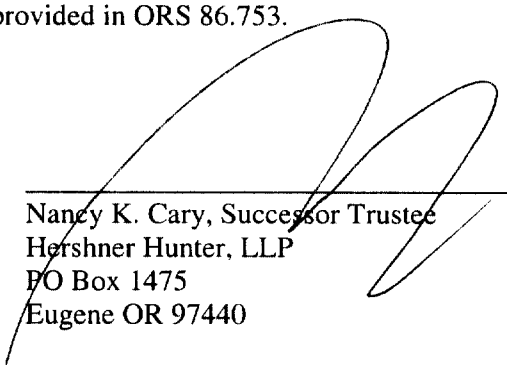
26.00

7. TIME OF SALE.

Date: August 17, 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: April 10, 2006.

  
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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 April 10, 2006, by NANCY K. CARY.

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

(TS #30057.30093)  
Telephone: (541) 686-0344

