

NOTICE OF DEFAULT  
AND ELECTION TO SELL

RE: Trust Deed from ALEX MCCLELLAN  
Grantor

To FIRST AMERICAN TITLE INSURANCE  
COMPANY Successor Trustee

After recording return to(name, address, zip):

ALLNation Default Services  
4665 MacArthur Court Suite 250  
Newport Beach, CA 92660

ASPEN 63698 6410174

2006-016113

Klamath County, Oregon



08/10/2006 12:08:53 PM

Fee: \$41.00

SPACE RESERVED FOR RECORDER'S USE

TS No: 06-5106-OR

Loan No: 1000804618

"LSI TITLE FNDS DIVISION"

Reference is made to that certain trust deed made by ALEX MCCLELLAN as grantor, to FIRST AMERICAN TITLE INSURANCE COMPANY as successor trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as beneficiary, dated 5/13/2005, recorded 6/13/2005, in the Records of Klamath County, Oregon, in Vol M05 at page 43794 and re-recorded on 10/17/05 as Vol M05 Page 66643 covering the following described real property situated in the above-mentioned county and state, to wit:

APN: R-3507-020CC-00800 and 3507-020CC TL 00900 and R-3507-020CC-00700

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by grantor or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:  
Principal Balance: \$219,993.20

Delinquent Payments

FROM	THRU	NO. PMT	RATE	AMOUNT	TOTAL
4/1/2006	8/7/06	5	7.625	\$1,397.87	\$6,989.35
Total Late Charges:					\$279.56
Beneficiary Advances					565.20
					<u>\$7,834.11</u>
TOTAL FORECLOSURE COST:					<u>\$2,393.00</u>
TOTAL REQUIRED TO REINSTATE:					<u>\$10,227.11</u>

del-A  
x5

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to- wit:

INSTALLMENT OF PRINCIPAL AND INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 4/1/2006 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE PURSUANT TO THE NOTE AND/OR THE DEED OF TRUST.

Notice hereby is given that the beneficiary and trustee, by reason of 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 grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale. Including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The Sale will be held at the hour of 10:00am , in accord with the standard of time established by ORS 187.110 on 12/21/06, at the following place: **AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE, 316 MAIN STREET, KLAMATH FALLS, OR**

County of Klamath, State of Oregon, which is the hour, date and place last set for sale.

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property, except:

Name and Last Known Address

Nature of Right, Lien or Interest


**ALEX MCCLELLAN (Grantor)**

14318 SE CARMICHAEL CT.  
HAPPY VALLEY, OR 97236  
And  
P.O. BOX 293  
CHILOQUIN, OR 97624

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 any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying the 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 fees not exceeding the amounts provided by ORS 86.753. FOR FURTHER INFORMATION CONTACT: ALLNATION DEFAULT SERVICES, 4665 MACARTHUR COURT, STE 250. NEWPORT BEACH, CA 92660 Phone: 949-252-2800

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to this grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated August 07, 2006

  
FIRST AMERICAN TITLE INSURANCE COMPANY, BY  
ALLNATION DEFAULT SERVICES, ITS DULY  
AUTHORIZED AGENT  
Successor Trustee

TS No :06-5106-OR

Loan No: 1000804618

State of: CALIFORNIA  
County of: ORANGE

On August 7, 2006 before me, Dawn Hussing, the undersigned, a Notary Public in and for said State, personally appeared Joanne Hobbs 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 hi/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.

Signature

*Dawn Hussing*  
Dawn Hussing



Unofficial Copy

**Exhibit "A"**

**Legal Description**

All that real property situated in the County of KLAMATH, State of Oregon,  
described as:

PARCEL 1: Lot 3, RIVER'S BEND, in the County of Klamath, State of Oregon.

PARCEL 2: Lots 1 and 2, RIVER'S BEND, in the County of Klamath, State of  
Oregon.

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Copy