

2006-018064
Klamath County, Oregon



When recorded return to:

09/07/2006 02:55:09 PM

Fee: \$36.00

LandAmerica Default Services
Post Office Box 5899
Irvine, CA 92616

APEN: 63847

Space above this line for recorders use only

TS # 039-11125

Order # 30045290

Loan # 0107756868

Notice of Default and Election To Sell

Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.

Reference is made to that certain Trust Deed made by **TERRY G PARKER AND KERRY J PARKER HUSBAND AND WIFE** as Grantor/Trustor, in which **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC**, is named as Beneficiary and **FIRST AMERICAN TITLE INSURANCE CO.** as Trustee and recorded **1/8/2003** as Instrument No. in book **M03**, page **01337** of Official Records in the office of the Recorder of **Klamath** County, Oregon covering the following described real property situated in said county and state, to-wit:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

The street address or other common designation, if any, of the real property described above is purported to be:

6829 HENLEY ROAD, KLAMATH FALLS, OR 97603

The undersigned trustee, **LAWYERS TITLE INSURANCE CORPORATION**, 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 mortgage records of the county or counties in which the above described real property is situate; further, that no action has been instituted to recover debt, or any part thereof, now remaining secured by the said Trust Deed, or, if such action has been instituted, such action has been dismissed except as permitted by O.R.S. 86.735 (4).

There is a default by the Grantor or other person 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 Grantor's failure to pay when due the following sums:

36-A

Total payments from 5/1/2006 through 9/5/2005	\$8,566.30
Total late charges	
Total advances	\$0.00
Interest on Advances (if any)	\$0.00
TOTAL DUE THE BENEFICIARY	<u>\$8,566.30</u>

TOGETHER WITH ANY DEFAULT IN THE PAYMENT OF RECURRING OBLIGATIONS AS THEY BECOME DUE.

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:

The unpaid principal balance of \$172,059.96 together with interest thereon at the current rate of 7.25000 per cent (%) per annum from 4/1/2006 until paid, plus all accrued late charges, escrow advances, attorney fees and costs, and any other sums incurred or advanced by the beneficiary pursuant to the terms and conditions of said deed of trust.

Notice hereby is given that the beneficiary and current trustee, LAWYERS TITLE INSURANCE CORPORATION, by reason of said default, have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to O.R.S. 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the said described property which the Grantor had, or had the power to convey, at the time of execution by him of the Trust Deed, together with any interest the Grantor or his successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said 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.

Said sale will be held at the hour of **10:00 am** in accord with the standard of time established by O.R.S. 187.110 on **1/29/2007** at the following place:

At the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR

Notice is further given that any person named in O.R.S. 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 of Trust Deed, and 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 said O.R.S. 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes 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.

Date: 9/5/2006

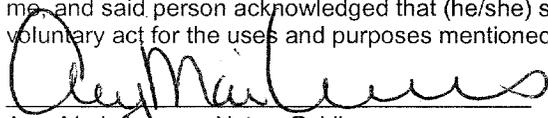
LAWYERS TITLE INSURANCE CORPORATION



By: Rick Snoke, Assistant Secretary

State of California
County of Orange

On 9/5/2006, I certify that I know or have satisfactory evidence that Rick Snoke is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.



Amy Marie Lemus, Notary Public
My Commission Expires 2/4/10



For further information please contact:

LAWYERS TITLE INSURANCE CORPORATION

c/o LandAmerica Default Services
Post Office Box 5899
6 Executive Circle
Suite 100
Irvine, CA 92616
(949) 885-4500

Sale Line: (714) 573-1965
Reinstatement (949) 606-9274

**THIS OFFICE IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL
BE USED FOR THAT PURPOSE.**

UNOFFICIAL COPY

EXHIBIT "A"
DESCRIPTION OF PROPERTY

01352

PARCEL 1:

A piece or parcel of land situate in the Southeast quarter of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the centerline of the U.S.B.R. # A-7 (K) Lateral as the same is presently located and constructed and the old existing fence generally accepted as the South line of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, from which the iron monument marking the Southeast corner of said Section 24 bears North 89°16'50" East 890.1 feet distant; thence South 89°16'50" West along said fence line 20.0 feet to an iron pin reference monument; thence continuing South 89°16'50" West along said fence line 989.50 feet to an iron pin; thence North 00°12'50" West 300 feet; thence South 89°16'50" West 674.90 feet to an iron pin; thence South 00°12'50" East 300 feet; thence South 89°16'50" West 100.10 feet to an iron pin; thence North 0°12'50" West along an old existing fence 1361.6 feet to an iron pipe; thence North 1°27'50" East along said old existing fence 693.9 feet to an iron pin on the centerline of the U.S.B.R. #1-C-1-C Lateral as the same is presently located and constructed; thence along the centerline of the 1-C-1-C Lateral the following courses and distances: South 87°27' East 266.6 feet and South 48°34'20" East 1700.4 feet, more or less, to the intersection with the centerline of the A-7 (K) Lateral as the same is presently located and constructed; thence along the centerline of the A-7 (K) Lateral the following courses and distances: South 31°32'10" West 116.6 feet, South 11°31' West 205.3 feet, South 2°18' West 299.1 feet, and South 49°18' East 454.5 feet, more or less to the point of beginning, with bearings based on Survey No. 1411 and Major Partition 80-37 as filed in the Klamath County Engineers Office.

EXCEPTING THEREFROM that portion thereof conveyed to the United States of America for laterals by deed recorded April 28, 1908 in Book 24, page 131, Deed records of Klamath County, Oregon.

PARCEL 2:

A parcel of land situate in the N ½ NE ¼ of Section 25, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the North line of Section 25, 774.9 feet East from the North Quarter corner thereof; thence South 0°27' East to a point on the North line of the County Road; thence North 89°33' East along the North line of the County Road 60 feet to a point; thence North 0°27' West to a point on the North line of said Section 25; thence West along the North line of Section 25 a distance of 60 feet, more or less, to the point of beginning.