

2006-018259

Klamath County, Oregon



00003435200600182590030039

09/11/2006 11:52:45 AM

Fee: \$31.00

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Fidelity National Title Company of Oregon  
C/o FORECLOSURELINK, INC.  
5006 Sunrise Blvd., Suite 200  
Fair Oaks, CA 95628

"LSI TITLE, PADS DIVISION"

ASPEN: 63921

**NOTICE OF DEFAULT AND ELECTION TO SELL**

**T.S. NO.: fc15041-5**

**LOAN NO.: 00009394980016 TITLE NO.: 6410222**

Reference is made to that certain Trust Deed made by Christopher D. Cook, as Grantor to First American Title Insurance Company of Oregon, as Trustee, in favor of Option One Mortgage Corporation, as Beneficiary, dated 07/07/2000 and Recorded on 08/16/2000 in Vol. M00 at Page 30106, in records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

See attached for legal description

ACCOUNT NO.: R517916

Property Address: 2129 Gettle Street, Klamath Falls, OR 97603

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 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, 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 grantor's failure to pay when due the following sums: monthly payments of \$401.32 beginning 06/01/2006, together with title expenses, 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:

Principal balance of \$40,203.55 with interest thereon at the rate of 10.049% per annum from 05/01/2006, together with any late charge(s), delinquent taxes, insurance premiums, impounds and advances; senior liens and encumbrances which are delinquent or become delinquent, together with title expense, costs, trustee's fees and any attorney's fees and court costs, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

# 31-A

**NOTICE OF DEFAULT AND ELECTION TO SELL**

**T.S. NO.: fc15041-5 LOAN NO.: 00009394980016 Title: 6410222**

Notice hereby is given that the beneficiary and trustee, 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 Grantor 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 10:00AM in accord with the standard of time established by O.R.S. 187.110 on 01/24/2007 at the following location: AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE, 316 MAIN ST., KLAMATH FALLS, OR, which is the hour, date and place set for said sale.

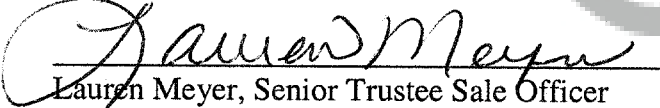
Other than as shown of record, neither the said beneficiary nor the said trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the Trust Deed, or of any successor in interest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

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 singular gender 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.

Dated: September 7, 2006

Fidelity National Title Company of Oregon, TRUSTEE  
By: Foreclosurelink, Inc., Agent

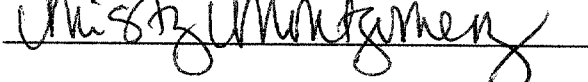
  
Lauren Meyer, Senior Trustee Sale Officer

DIRECT INQUIRIES TO: The CIT Group/Consumer Finance, Inc. c/o ForeclosureLink, Inc.,  
5006 Sunrise Blvd. #200, Fair Oaks, CA 95628 (916) 962-3453

STATE OF CALIFORNIA  
COUNTY OF SACRAMENTO

On September 7, 2006, before me, Misty Montgomery, Notary Public, personally appeared Lauren Meyer, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature 

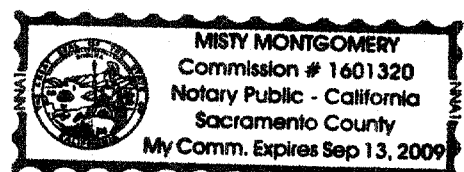


Exhibit A

That portion of the E 1/2 of W 1/2 of W 1/2 of SE 1/4 of NW 1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point on the South line of the SE 1/4 of the NW 1/4 of said Section 2, which point is North 88° 57' East 330.02 feet from the Southwest corner of said SE 1/4 of NW 1/4; thence North 0° 35' West 663.80 feet along the East line of said E 1/2 of W 1/2 of W 1/2 of SE 1/4 of NW 1/4 of said Section to a point which is the true point of beginning of this description; thence continuing Northerly along the East line of said E 1/2 of W 1/2 of W 1/2 of SE 1/4 of NW 1/4 of said section a distance of 75 feet to a point; thence South 89° 25' West a distance of 135 feet to a point; thence Southerly 0° 35' East 75 feet to a point; thence North 89° 25' East 135 feet to the true point of beginning of this description.

CODE 041 MAP 3909-002BD TL 08000 KEY #517916

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