

2006-024756

Klamath County, Oregon



00011015200600247560030037

12/14/2006 11:31:48 AM

Fee: \$31.00

After recording return to:
Attn: Foreclosure Department
ReconTrust Company, N.A.
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065

"LSI TITLE, FNDS DIVISION"

NOTICE OF DEFAULT AND ELECTION TO SELL

6410321 ASREW: 64241
Reference is made to that certain Trust Deed made by MICHAEL ZIPP, AND TRAVIS ZIPP, AS TENANTS IN COMMON., as grantors, to FIDELITY NATIONAL TITLE INSURANCE CO., as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC., as Beneficiary, dated 09/13/2005, recorded 09/23/2005, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number M05-64983, covering the following described real property situated in said county and state, to wit:

SEE EXHIBIT A

PROPERTY ADDRESS: 8333 HIGHWAY 140 EAST
KLAMATH FALLS, OR 97603

There is 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 grantors' failure to pay when due the following sums: monthly payments of \$5,002.43 beginning 09/01/2006; plus late charges of \$250.12 each month beginning 09/01/2006 payment plus prior accrued late charges of \$1,495.72; plus advances of \$ 92.50; together with title expense, 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: \$579,432.00 with interest thereon at the rate of 9.75 percent per annum beginning 08/01/2006 plus late charges of \$250.12 each month beginning 09/01/2006 until paid; plus prior accrued late charges of \$1,495.72; plus advances of \$ 92.50; together with title expense, 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.

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from
MICHAEL ZIPP,
Grantor

To
ReconTrust Company, N.A.,
Trustee

TS No. 06 -28633
Doc ID

#0001252672122005N

For Additional Information:

Please Contact
Foreclosure Department
RECONTRUST COMPANY, N.A.
COUNTRYWIDE HOME LOANS, INC.
1757 TAPO CANYON ROAD, SVW-88
SIMI VALLEY, CA 93063
(800)-281-8219

Notice is hereby given that the Beneficiary and Trustee, by reason of said 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 the grantor had, or had the power to convey, at the time the grantor executed the Trust Deed, together with any interest the grantor or grantor's successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations

Form ORNOD (03/02)

\$ 31-A

secured by the Trust Deed and the expenses of the sale, including the compensations of the Trustee as provided by law, and reasonable fees of Trustee's attorneys.

The sale will be held at the hour of 10:00 AM , in accordance with the standard of time established by ORS 187.110 on Monday, April 23, 2007, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

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 every other default complained of herein by tendering the performance required under the obligation or Trust Deed, 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 ORS 86.753.

In constructing this notice, the singular 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.

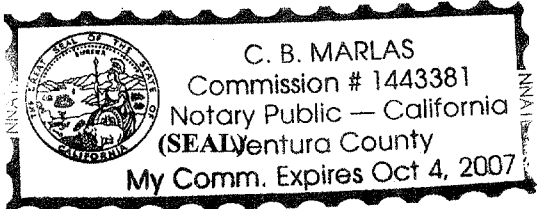
ReconTrust Company, N.A.

STATE OF California)
) ss.
COUNTY OF Ventura

Brian Myers
Brian Myers, Team Member

On 12-11-06, before me, C.B. Marlas, notary public, personally appeared Brian Myers, 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 his/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.
C.B. Marlas
Notary Public for _____
My commission expires: _____



THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.

Exhibit "A"

Real property in the County of , State of Oregon, described as follows:

Parcel 3 of Major Land Partition No. 36-89, situated in Lot 4, Junction Acres, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows: A tract of land situated in Lot 4 Junction Acres, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows: Beginning at the Southwesterly corner of Parcel 1 of Major Land Partition No. 36-89 on the Southerly line of said Lot 4, being North 71°16'48" West 484.74 feet from the Southeasterly corner of said Lot 4; thence following along the boundaries of Parcels 1 and 2 of said Land Partition No. 36-89, North 10°00'00" East 347.80 feet, South 82°39'00" East 112.57 feet and North 07°21'00" East 301.05 feet to the North line of said Lot 4; thence South 89°54'00" West 378.42 feet to the Northwest corner of said Lot 4; thence South 00°01'00" East 569.20 feet to the Southwesterly corner of said Lot 4; thence South 71°16'48" East 177.06 feet, more or less, to the point of beginning.

Tax Parcel Number: 872712