2007-002122 Klamath County, Oregon

After Recording Return to:
Joseph E. Kellerman
Hornecker, Cowling, Hassen & Heysell, L.L.P.
717 Murphy Road
Medford, OR 97504



02/07/2007 09:50:16 AM

Fee: \$31.00

## NOTICE OF DEFAULT AND ELECTION TO SELL

NOTICE is hereby given that the obligation secured by the Trust Deed described below is in default, and that the beneficiary has elected to foreclose the Trust Deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the Trust Deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor(s):

West States Venture Group, LLC, a limited liability

company and Lawrence Sowell and Lonnie Jacobs

Trustee:

Ticor Title Company of Oregon, a domestic business

corporation

Successor Trustee:

Joseph E. Kellerman

Beneficiary:

Cecil Halstead

2. Property covered by the Trust Deed:

See Exhibit A

- 3. Trust Deed was recorded on April 7, 2006, at volume number M06, Page 6788 of the Official Records of Klamath County, Oregon.
- 4. Default for which foreclosure is made is failure of Grantor(s) 1) to make scheduled monthly payments in the amount of \$2,571.53 for October, November, December 2006 and January 2007 and therafter; and 2) to pay late fees owing for September, October, November, December and January in the amount of \$128.64 for each month and each month late thereafter.
- 5. The sum owing on the obligation secured by the Trust Deed is \$255,159.75 as of the 8<sup>th</sup> of November 2006 plus interest thereafter at the rate of 12% per annum until paid, plus costs, trustee's and attorneys' fees.
- 6. The Beneficiary has and does elect to sell the property to satisfy the obligation.

NOTICE OF DEFAULT AND ELECTION TO SELL - Page 1

- 7. The property will be sold in the manner prescribed by law on the 21<sup>st</sup> day of June, 2007 at 10:00 a.m. standard time as established by ORS 187.110, at the front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, 97601, Klamath County, Oregon.
- 8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.
- 9. In construing this notice and whenever the context hereof so requires, 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 their successors in interest, the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed, and any collateral beneficiary, and their successors in interest.

DATED this 2nd day of Jebruary, 2007.

HORNECKER, COWLING, HASSEN & HEYSELL, L.L.P.

By:\_

Joseph E. Kellerman, Successor Trustee

STATE OF OREGON

) ss.

County of Jackson

On this 2 day of 2007, personally appeared before me Joseph E. Kellerman, as Successor Trustee, and acknowledged said instrument to be his voluntary act and deed.

OFFICIAL SEAL
NANCY L. HARRIS
NOTARY PUBLIC-OREGON
COMMISSION NO. 399458
MY COMMISSION EXPIRES NOV. 19, 2009

Notary Public for Oregon

My Commission Expires: 11-19-2019

NOTICE OF DEFAULT AND ELECTION TO SELL - Page 2

Guarantee No.: **7029-973916**Page 8 of 8

## Exhibit "A"

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

A tract of land situate in the Northwest 1/4 of the Northeast 1/4 of Section 13, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, and being more particularly described as follows:

Beginning at the North 1/4 corner of Section 13, Township 39 South, Range 8 East of the Willamette Meridian, according to the plat on file in the Klamath County surveyor's office in file #231; thence East along the Section line 1051.69 fee to the West right of way of State Highway #66; thence South 27°37' West 320.88 feet to the true point of beginning of this description; thence South 67°25-1/2' West 335.90 feet; thence South 24°12'West 260.00 feet; thence South 62°23' East 119.45 feet; thence South 27°37' West 214.2 feet; thence South 52°07-1/2' East 69.00 feet to the Westerly right of way of State Highway #66; thence Northeasterly around a 10.5524 degree curve to the left 114.92 feet; thence North 27°37' East 629.80 feet to the true point of beginning of this description. Said parcel contains 2.25 acres more or less and is subject to any easements and/or rights of way of record or apparent upon the premises.

Saving and Excepting that portion deeded to State of Oregon, by and through its Department of Transportation in Warranty Deed recorded April 12, 2004 in M-04 on page 20952, records of Klamath County, Oregon.

Tax Parcel Number: 496001 and M33065

First American Title