

NOTICE OF DEFAULT AND
ELECTION TO SELL, PURSUANT
TO TRUSTEE'S POWER OF
SALE.

2007-003119

Klamath County, Oregon



02/23/2007 01:46:36 PM

Fee: \$41.00

c/c
After recording, return to:
Justin Throne
Attorney at Law
280 Main Street
Klamath Falls, Oregon 97601

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by JOSE G. COVARRUBIAS, Grantor, where FIRST AMERICAN TITLE COMPANY of OREGON is the trustee, and KYMMBERLY JONES, is the beneficiary under that certain trust deed dated October 1, 2006, and recorded October 17, 2006, in Volume M06 page 20850, Records of Klamath County, Oregon, covering the following-described real property:

LOT 592, BLOCK 108, OF MILLS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default is grantor's failure to pay when due the following sums:

Payments in the amount of \$1,749.99, and late charge assessments of \$105.00; and failure to pay real property taxes owing to the County of Klamath, State of Oregon for the year 2006-2007 in the amount of \$557.70 plus interest and penalties, for property ID No. R479761.

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:

\$35,000 principal; plus interest through January 31, 2007 in the amount of \$2,032.87; plus accruing interest in the amount of \$19.18 per diem from January 17, 2007; plus additional late charge assessments accruing on the 27th day of each month in the amount of \$35.00 each, beginning February 27, 2007 and continuing each month through September 27, 2007, or until paid or settled.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 27, 2007, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the office of Justin Throne, 280 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the

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JUSTIN E. THRONE
ATTORNEY AT LAW

280 Main Street • Klamath Falls, Oregon 97601
(541) 882-4436 Fax (541) 882-4437

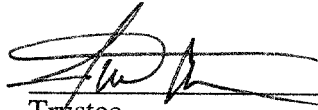
the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 to 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 said sums of 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 ORS 86.753.

We are attempting to collect a debt and any information we obtain will be used for that purpose. The debt described in the Notice of Sale is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification. If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor.

Written requests should be addressed to: Justin Throne, Attorney at law, 280 Main Street, Klamath Falls OR 97601.

In construing this notice, the masculine gender includes the feminine and the neuter, 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 which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: FEB. 23, 2007



Trustee

AFFIDAVIT OF MAILING
NOTICE OF DEFAULT AND
ELECTION TO SELL, PURSUANT
TO TRUSTEE'S POWER OF
SALE.

After recording return to:
Justin Throne
Attorney at Law
280 Main Street
Klamath Falls, OR 97601

STATE OF OREGON)
) ss.
County of Klamath)

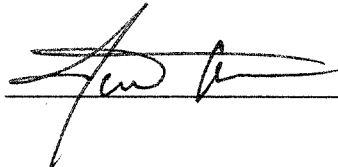
I, JUSTIN THRONE, being first duly sworn, say:

I mailed, by both first class and certified mail with return receipt requested, a
copy of that Notice of Default and Election to Sell, a copy of which is attached, to
the following persons and last known addresses, on February 23, 2007:

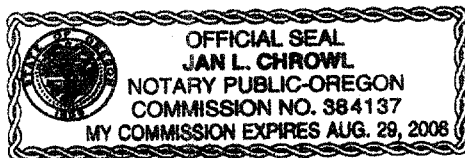
Jose Covarrubias
619 Lee Drive
Santa Maria, CA 93458

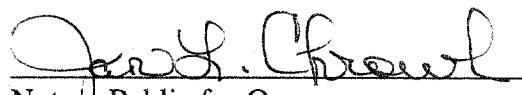
Jose Covarrubias
Or Resident at:
2125 Darrow Avenue
Klamath Falls, OR 97601

Jose Covarrubias
P.O. Box 6295
Santa Maria, CA 93458



SUBSCRIBE AND SWORN to before me this 23 day of February, 2007,
by Justin Throne.





Notary Public for Oregon
My Commission expires: 8-29-08

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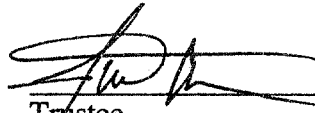
the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 said sums of 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 ORS 86.753.

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DATED: Feb. 23, 2007


Trustee