

**2007-012858**

**Klamath County, Oregon**



00027320200700128580040047

07/20/2007 08:21:41 AM

Fee: \$46.00

Send tax statements to:  
Harold Elliott  
PO Box 413  
La Pine, OR 97739

After recording mail to:

Jennifer S. Wells  
La Pine Law  
PO Box 913  
La Pine, OR 97739

**AFFIDAVIT OF PUBLICATION, CERTIFICATE OF SERVICE, CERTIFICATE OF  
SERVICE**

Jerry Krohne, grantor  
Harold Elliott, grantee

Property legally described as Lot 3 in Block 3, plat No. 1204, Little River Ranch, according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon.

# Affidavit of Publication

## STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, Business Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that I know from my personal knowledge that the

Legal # 9083

Notice of Sale/Harold Elliott & Jerry Krohne

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 4 )  
Four

Insertion(s) in the following issues:

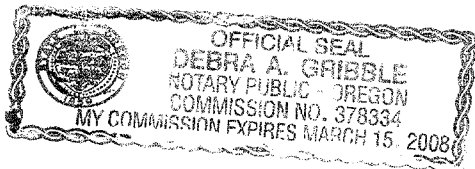
March 8, 15, 22, 29, 2007

Total Cost: \$869.39

Subscribed and sworn by Jeanine P Day  
before me on: March 29, 2007

Notary Public of Oregon

My commission expires March 15, 2008



### NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to certain Installment Note made between HAROLD ELLIOTT and JERRY KROHNE and secured by a Trust Deed from JERRY KROHNE, as grantor, in favor of HAROLD ELLIOTT, as beneficiary, dated November 12, 2002 and recorded on November 19, 2002 in the mortgage records of Klamath County, Oregon as recorder's fee/file/microfilm/reception number Vol M02 Page 67090 covering the following described real property situated in Klamath County, Oregon to wit:

Lot 3 in Block 3, Plat No. 1204, Little River Ranch, according to the official plat thereof on file in the office of the county Clerk of Klamath County, Oregon

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 \$500.00 Beginning 08/30/06; unpaid balloon payments in the amount of \$3,000.00 every six months beginning June 30, 2003 in the amount of \$24,000.00; unpaid taxes in the amount of \$1,221.51; together with title expenses, costs, attorney 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 Deeds immediately due and payable, said sums being the following, to wit: \$104,496.57 with interest thereon at a rate of 8.75 Percent per annum beginning 01/09/07; together with unpaid taxes, title expense, costs, attorney 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.

For additional information please contact:  
Jennifer S. Wells  
La Pine Law  
PO Box 913  
La Pine, OR 97739  
(541) 536-3566

Notice is hereby given that the Beneficiary, by reason of said default, have elected and do hereby elect to foreclose the Trust Deeds 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 real 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 secured by the Trust Deed and the expense of the sale, including the compensations of the Trustee as provided by law, and reasonable attorney fees.

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 July 16, 2007 at the following place, Oregon State Police Gilchrist Substation, 103 Sunset, Gilchrist, OR 97739, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Notice if 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 necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust Deeds, together with attorneys fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, 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 Deeds, and the word Beneficiary include their respective successors in interest, if any.

Jennifer S. Wells,  
OSB#01479

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 FOR 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. #9083 March 8, 15, 22, 29, 2007.

## CERTIFICATE OF SERVICE

I, Michael T. Gerdau, state I am a resident of the State of Oregon, over the age of 18 years old, and a licensed private investigator, Department of Public Safety, Standards, and Training Private Security Investigator's license number 31446, do hereby swear that on the 27<sup>TH</sup> day of January 2007, at about 0900 I did serve a NOTICE OF DEFAULT AND ELECTION TO SELL, at the residence located at 152918 COLLAR DRIVE, LAPINE OR 97739. On the 27<sup>th</sup> day of January 2007, at about 0900 I knocked numerous times on the front door of the residence located at 152918 Collar Drive and called out trying to entice someone to come to the door, I did hear a radio go on in the bedroom immediately to the left of the front door, there were three vehicles parked at the residence, a dog on a chain in the front yard and a cat, and I heard other unidentifiable noises within the residence; ultimately I folded the Notice of Default and Election to Sell and placed between the door and the door jamb. Later around 1000 I drove by the residence located at 152918 Collar Drive and the document was still where I had left it, stuck between the door and door jamb.



MICHAEL T. GERDAU

President, Gerdau Services, P.C.

Investigations, Department of

Public Safety, Standards, and

Training Private Security

Investigator's license number

31446, Bonded and Insured

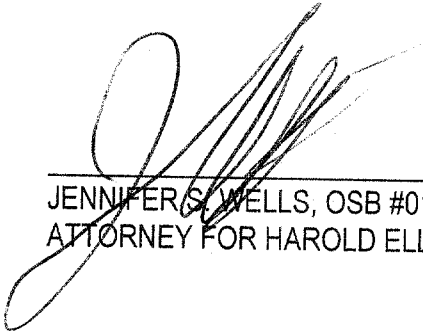
**CERTIFICATE OF SERVICE**

I, JENNIFER S. WELLS, hereby certify that on this date, I served a true copy of **NOTICE OF DEFAULT AND ELECTION TO SELL** by the method indicated below, and addressed to each of the following individuals:

Jerry Krohne  
152918 Collar Dr.  
La Pine, OR 97739

<u>XXXX</u>	U. S. Mail, Postage Prepaid
<u>      </u>	Hand Delivered
<u>      </u>	Overnight Mail
<u>      </u>	Facsimile Transmission

DATED: January 26, 2007

  
\_\_\_\_\_  
JENNIFER S. WELLS, OSB #01479  
ATTORNEY FOR HAROLD ELLIOTT