

2007-020610

Klamath County, Oregon



12/10/2007 09:01:18 AM

Fee: \$31.00

After Recording Return to:

Joseph E. Kellerman

Hornecker, Cowling, Hassen & Heysell, L.L.P.

717 Murphy Road

Medford, OR 97504

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: Fraternal Order of Eagles, Aerie 2090, an unincorporated association o Klamath Falls, Oregon
 Trustee: AmeriTitle, an Oregon corporation
 Successor Trustee: Joseph E. Kellerman
 Beneficiary: Crater Lake Aerie #2093 Fraternal Order of Eagles
2. Property covered by the Trust Deed:

 See Exhibit A attached
3. Trust Deed was recorded on October 18, 2006, as instrument M06, page 020917, Microfilm Records of Klamath County, Oregon.
4. Default for which foreclosure is made is failure of Grantor to make monthly payments as required in the amount of \$181.70 each for September 2007 and each month thereafter.
5. The sum owing on the obligation secured by the Trust Deed is \$25,321.62 as of November 19, 2007, plus interest at 7.9% (\$5.37 per diem), plus trustee's, attorneys' fees, costs and disbursements and expenses incurred.
6. The Beneficiary has and does elect to sell the property to satisfy the obligation.
7. The property will be sold in the manner prescribed by law on the 22nd day of April, 2008, 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.

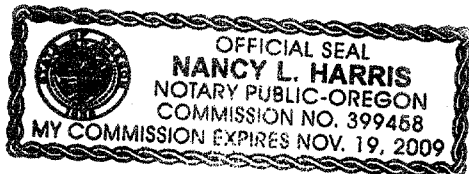
DATED this 4th day of December, 2007.

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

By: _____
Joseph E. Kellerman, Successor Trustee

STATE OF OREGON)
) ss.
County of Jackson)

On this 4th day of December, 2007, personally appeared before me Joseph E. Kellerman, as Successor Trustee, and acknowledged said instrument to be his voluntary act and deed.



Nancy L. Harris
Notary Public for Oregon
My Commission Expires: 11-19-2009

EXHIBIT "A"
LEGAL DESCRIPTION

Beginning at a point on the Northerly line of Walnut Avenue, North 38° 56' East 268 feet from the Southeasterly corner of Block 78 in Klamath Addition to Linkville (now City of Klamath Falls) Oregon; thence North 51° 4' West 100 feet; thence North 38° 56' East 52 feet; thence South 51° 4' East 100 feet; thence South 38° 56' West 52 feet to the place of beginning; being situate in the NE1/4 of the NE1/4 of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, and being what is known as Lot 10, Block 79 in KLAMATH ADDITION TO LINKVILLE, (now City of Klamath Falls), Oregon, and being situated in Klamath County, Oregon.

Tax Account No: 3809-032AA-11500-000

Key No: 763739

TOTAL P.005