

MTC 81767

After recording return to:

Michael R. Silvey, Esq.  
Successor Trustee  
Foster Pepper LLP  
601 SW Second Ave., Suite 1800  
Portland, OR 97204-3171

2008-003291  
Klamath County, Oregon



00041796200800032910030030

03/14/2008 11:25:26 AM

Fee: \$31.00

2008-003460  
Klamath County, Oregon



00042001200800034600030030

03/18/2008 03:17:12 PM

Fee: \$31.00

**NOTICE OF DEFAULT AND ELECTION TO SELL**

Reference is made to that certain trust deed made by **HARDIP SINGH SANDHU dba Boyer's Corner Market**, as Grantor, to **FIRST AMERICAN TITLE INSURANCE COMPANY**, as Trustee, in favor of **BUSINESS LOAN CENTER, LLC**, as Beneficiary, dated September 27, 2006, recorded September 28, 2006, in the microfilm records of Klamath County, Oregon, in Volume 2006, page 01957/5 ("Trust Deed"). The Trust Deed covers the following described real property situated in the above county and state, to-wit:

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Lots 15, 16 and 17, in Block 4, FAIRFIELD, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, TOGETHER WITH that portion of vacated alley which inured thereto, said alley was vacated by Order recorded June 4, 1964, in Book 353, Page 319, Records of Klamath County, Oregon

The real property is more commonly known as 1939 Riverside Drive, Klamath Falls, OR 97601

The undersigned hereby certifies that no assignments of the Trust Deed by the Trustee or by the Beneficiary and no appointments of a successor-trustee have been made except as recorded in the mortgage records of the county or counties in which the Collateral Property is situated; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the Trust Deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by the Grantor or other person owing an obligation, the performance of which is secured by the 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 Grantor's failure to pay when due the following sums relating to Loan No. BLCCC20060927:

5 monthly payments @ \$3,430.00 (October 2007 thru February 2008) \$17,150.00

Late charges \$505.00  
Payments not made within 10 days of the due date

By reason of the default, the Beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, the sums being the following, to-wit:

\$370,343.13; plus interest thereon at the rate of 9.50% from September 13, 2007, until paid; plus late charges, any additional advances, unpaid real property taxes; plus any reserve account shortage; plus attorney fees and costs incurred related to the foreclosure less any unapplied funds; plus all sums expended by beneficiary to protect its interest during the pendency of this proceeding.

Notice is hereby given that the Beneficiary and Trustee, by reason of the 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 Collateral Property which the Grantor had or had the power to convey at the time of the execution by Grantor of 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 expenses of the sale, including the compensation of the Trustee as provided by law, and the reasonable fees of Trustee's attorneys.

The sale will be held at the hour of **10:15 A.M.**, in accord with the standard of time established by ORS 187.110 on **July 23, 2008**, at the front entrance of the Klamath County Courthouse in the City of Klamath Falls, 316 Main Street, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Re-recorded to update the page # being referenced. Previously recorded in  
2008-003291

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Other than as shown of record, neither the Beneficiary nor the Trustee has any actual notice of any person having or claiming to have any lien upon or interest in the Collateral Property described subsequent to the interest of the Trustee in the Trust Deed, or of any successor in interest to the Grantor of any lessee or other person in possession of or occupying the Collateral Property, except:


NAME AND LAST KNOWN ADDRESS	NATURE OF RIGHT, LIEN OR INTEREST
Hardip Singh Sandhu Dba Boyer's Corner Market 1939 Riverside Dr. Klamath Falls, OR 97601	Grantor
Hardip Singh Sandhu 420 Alamo Weed, CA 96094	
Boyer's Corner Market c/o Sufian Odeh 1939 Riverside Dr. Klamath Falls, OR 97603	
Jaswinder K. Shergill 16451 Tee Pl. Weed, CA 96094-9374	Guarantor
Martin L. Boyer and Glenda L. Boyer or survivor thereof 1821 Ivory St. Klamath Falls, OR 97603-4942	Trust Deed
U. S. Small Business Administration Portland District Office 601 SW 2 <sup>nd</sup> Ave., Suite 950 Portland, OR 97204-5729	SBA Loan Guarantee
State of Oregon Employment Department c/o Hardy Myers Attorney General State of Oregon Department of Justice 1162 Court Street, NE Salem, OR 97301	Tax Warrant Nos. 99713 and 98965
Stewart Property Management Services, Inc. c/o William P. Brandsness, Registered Agent 411 Pine St. Klamath Falls, OR 97601	Judgment Lien
Klamath County Tobacco and Candy, Inc. c/o Richard Mauro, Registered Agent 2508 Lindley Way Klamath Falls, OR 97601	Pending Litigation
Hsui Chang and Claudia Chang 1108 "B" Oak St. Mt. Shasta, CA 96067	Trust Deed
Occupants 1939 Riverside Drive Klamath, OR 97601	Right of Tenancy

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 the above 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.

DATED: March 13, 2008.

  
Michael R. Silvey, Successor Trustee

STATE OF OREGON )  
 ) ss.  
County of Multnomah )

 OFFICIAL SEAL  
**TRACEY BELDING**  
NOTARY PUBLIC-OREGON  
COMMISSION NO. 418186  
MY COMMISSION EXPIRES JUNE 9, 2011

Notary Public for Oregon  
My Commission Expires: JUNE 9, 2011

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