

2008-010562

Klamath County, Oregon



00050322200800105620040046

07/24/2008 03:07:21 PM

Fee: \$36.00

NOTICE OF DEFAULT AND ELECTION TO SELL

**RE: Trust Deed from JOHN M. GRUBB AND
JEANNE ANN GRUBB, HUSBAND AND WIFE
Grantor**

**To FIRST AMERICAN TITLE INSURANCE
COMPANY Successor Trustee**

After recording return to (name, address, zip):

CR Title Services Inc.

P.O. Box 1500

Rancho Cucamonga, CA 91729-1500

SPACE RESERVED
FOR
RECORDER'S USE

151 1261854

TS No: T08-39062-OR

Loan No: 0101922326

Reference is made to that certain trust deed made by JOHN M. GRUBB AND JEANNE ANN GRUBB, HUSBAND AND WIFE as grantor, to FIRST AMERICAN TITLE INSURANCE COMPANY as successor trustee, in favor of AMERQUEST MORTGAGE COMPANY, A CORPORATION, as beneficiary, dated 01-05-2005, recorded 01-14-2005, in the Records of KLAMATH County, Oregon, in book M05 at page 03189, and/or as fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in the above-mentioned county and state, to wit:

APN: R560903

THE EASTERLY 15 FEET OF LOT 10, GRACE PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF CLERK OF KLAMATH COUNTY, OREGON.

ALSO THAT VACATED PORTION OF OXBOW STREET ADJOINING LOT 10 ON THE EAST AS DESCRIBED IN BOOK M-71 AT PAGE 2187, DEED RECORDS OF KLAMATH COUNTY, OREGON, RECORDED MARCH 12, 1971.

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 records of the county or counties in which the above described real property is situated. Further, 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 grantor or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

Delinquent Payments

<u>FROM</u>	<u>THRU</u>	<u>NO. PMT</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>TOTAL</u>
02/01/2007	02/28/2007	1	8.650	\$914.44	\$914.44
03/01/2007	08/31/2007	6	10.650	\$1,080.08	\$6,480.48
09/01/2007	02/29/2008	6	11.650	\$1,165.58	\$6,993.48
03/01/2008	07/22/2008	5	11.375	\$1,142.05	\$5,710.25

Total Late Charges:	\$822.96
Beneficiary Advances	
LATE CHARGES	\$1,114.32
BAD CHECK FEES	\$100.00
OTHER FEES	\$85.00
CORP ADVANCE	\$3,749.56

F36-

ACCRUED LATE CHARGES

\$-822.96

\$25,147.53

TOTAL FORECLOSURE COST:

\$877.50

TOTAL REQUIRED TO REINSTATE:

\$26,025.03

TS No :T08-39062-OR

Loan No: 0101922326

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being:

The unpaid principal balance: \$115,530.20

INSTALLMENT OF PRINCIPAL AND INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 02/01/2007 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Notice hereby is given that the beneficiary and trustee, by reason of 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 described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor 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 compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The Sale will be held at the hour of **10:00 AM**, in accord with the standard of time established by ORS 187.110 on **12-05-2008**, at the following place: **ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OREGON**

County of KLAMATH, State of Oregon, which is the hour, date and place last set for sale.

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 real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property, except:

Name and Last Known Address

Nature of Right, Lien or Interest

**JOHN M. GRUBB AND JEANNE ANN GRUBB,
HUSBAND AND WIFE**

6015 ONYX AVENUE
KLAMATH FALLS, OR 97603

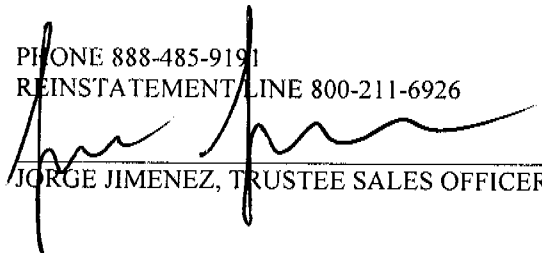
Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion 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 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 fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to this grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated July 22, 2008

FIRST AMERICAN TITLE INSURANCE COMPANY
BY CR Title Services Inc. AS AGENT TO THE
TRUSTEE
P.O. Box 1500
Rancho Cucamonga, CA 91729-1500

PHONE 888-485-9191
REINSTATEMENT LINE 800-211-6926

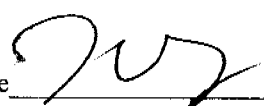

JORGE JIMENEZ, TRUSTEE SALES OFFICER

State of CA } ss
County of SAN BERNARDINO }

On July 22, 2008 before me, **Javier Vasquez Jr.** Notary Public, personally appeared JORGE JIMENEZ, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

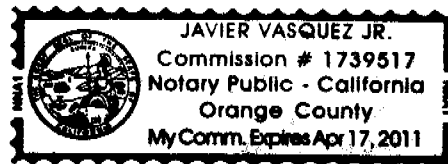
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (seal)

Javier Vasquez Jr. Notary Public

CA



Federal Law requires us to notify you that we are acting as a debt collector. If you are currently in a bankruptcy or have received a discharge in bankruptcy as to this obligation, this communication is intended for informational purposes only and is not an attempt to collect a debt in violation of the automatic stay or the discharge injunction.