

2009-002158

Klamath County, Oregon



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02/13/2009 02:41:49 PM

Fee: \$36.00

Trust Deed From:

Dane G. Bowen and
Julie A. Bowen

Grantors

To

Nancy L. Peterson

Trustee

After recording, return to:

James P. Laurick
KILMER, VOORHEES & LAURICK
732 NW 19th Avenue
Portland, OR 97209
5176.375

1st 1337487

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Dane G. Bowen and Julie A. Bowen, as the grantors, to Nancy L. Peterson, as the trustee, in favor of Green Tree Financial Servicing Corporation, now known as Green Tree Servicing LLC, as the beneficiary, dated September 26, 1997, recorded on October 6, 1997, in the Records of Klamath County, Oregon, in Volume Number M97 Page 32890 covering the following described real property situated in the above-mentioned county and state, to wit:

Lot 2, Block 10, Tract no. 1039, Yonna Woods Unit No. 2, in the County of Klamath, State of Oregon. APN: R400239.

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).

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There is a default by grantors 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 default of such provision. The default for which foreclosure is made is grantor's failure to pay the following sums:

Payment Date/Item	Amount Due	Insurance Due
10/15/08	\$741.59	\$28.78
11/15/08	\$741.59	\$28.78
12/15/08	\$741.59	\$28.78
01/15/09	\$741.59	\$28.78
SUBTOTAL	\$2,966.36	\$115.12
TAXES:	\$2,669.73	

TOTAL DEFAULT: \$5,751.21

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable as of January 1, 2009, those sums being the following, to-wit:

Principal	:	\$88,290.42
Interest	:	\$1,971.84
Late Charges	:	\$10.00
Taxes Due	:	\$2,669.73
Trustees Sale Guarantee	:	\$441.00
Insurance	:	\$115.12
TOTAL	:	\$93,498.11

Interest accruing at the rate of 8.49 percent per annum or \$20.54 per diem

Notice hereby is 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 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 **1:00** o'clock, **PM**, in accord with the standard of time established by ORS 187.110 on **Friday, June 26, 2009**, at the following place: **The front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, OR 97601**, County of Klamath, and State of Oregon, which is the hour, date, and place last set for sale.

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


<u>Name and Last Known address</u>	<u>Nature of Right, Lien, or Interest</u>
<u>Dane G. Bowen</u> <u>Julie A. Bowen</u> <u>29222 Goldfinch Drive</u> <u>Bonanza, OR 97623</u>	<u>Grantors</u>

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.

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In construing this notice, 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors-in-interest, if any.

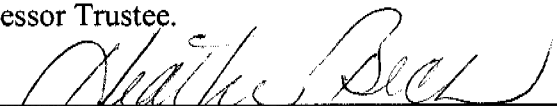
Dated: February 11, 2009.



James P. Laurick, Successor Trustee

STATE OF OREGON)
) ss
County of Multnomah)

This instrument was acknowledged before me on this 11th day of February, 2009, by James P. Laurick, Successor Trustee.



Notary Public for Oregon
My commission expires: 06/16/2010
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