

2009-002160

Klamath County, Oregon



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02/13/2009 02:43:14 PM

Fee: \$36.00

Trust Deed From:

Travis D. Johnson and
Faith M. Johnson

Grantors

To

Nancy L. Peterson

Trustee

After recording, return to:

James P. Laurick
KILMER, VOORHEES & LAURICK
732 NW 19th Avenue
Portland, OR 97209
5176.377

1st 1337478

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Travis D. Johnson and Faith M. Johnson, 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 July 22, 1998, recorded on July 28, 1998, in the Records of Klamath County, Oregon, in Volume Number M98 Page 27686 covering the following described real property situated in the above-mentioned county and state, to wit:

Lot 19 in Block 24 of the 4th Addition to Klamath River Acres of Oregon, According to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Also, a 1/3 undivided interest and right of way to well pump house and controls located on Lot 21, Block 24, 4th Addition to Klamath River Acres of Oregon, recorded in the County of Klamath, Recorded October 26, 1979 in Volume M79 Page 25228, Records of Klamath County, Oregon. APN: R488840.

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
10/15/08	\$608.70
11/15/08	\$608.70
12/15/08	\$608.70
01/15/09	\$608.70
Taxes:	\$2,271.48
TOTAL:	\$4,706.28

TOTAL DEFAULT:

\$4,706.28

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 following, to-wit:

Principal	:	\$80,182.81
Interest (as of 01/30/09)	:	\$2,869.53
Taxes Due	:	\$2,271.48
Trustee's Sale Guarantee	:	\$402.00
TOTAL	:	\$85,725.82

Interest accruing at the rate of 6.99 percent per annum or \$15.36 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:

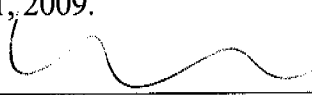
<u>Name and Last Known address</u>	<u>Nature of Right, Lien, or Interest</u>
<u>Travis D. Johnson</u> <u>Faith M. Johnson</u> <u>17913 Hamaker Lane</u> <u>Klamath Falls, OR 97601</u>	<u>Grantors</u>
<u>Travis D. Johnson</u> <u>Faith M. Johnson</u> <u>PO Box 195</u> <u>Chiloquim, OR 97624</u>	<u>Grantors</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.

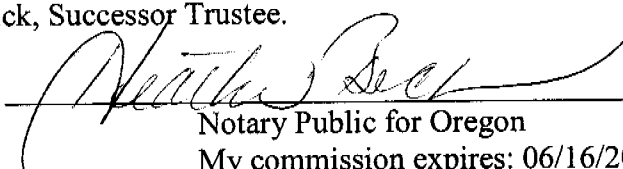
Dated: February 11, 2009.



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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