

MT 82385
After recording, return to:

2009-002956

Klamath County, Oregon



00061609200900029560020026

02/26/2009 03:17:17 PM

Fee: \$26.00

Jim N. Slothower
Slothower & Petersen PC
205 NW Franklin Ave
Bend, OR 97701

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by BRUCE MARVIN WHITMORE and KATHLEEN ANN WHITMORE, as tenants by the entirety, grantor, to AMERITITLE, an Oregon corporation, as trustee, in favor of PATRICK M. GISLER and JOEL T. GISLER, as tenants in common, beneficiaries, dated October 11, 2003 and recorded on October 17, 2003, at Volume M03, Page 77503 of Microfilm Records of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 10 in Block 1 of Tract 1098 - SPLIT RAIL RANCHOS,
according to the official plat thereof on file in the office of the
County Clerk of Klamath County, Oregon

There is a default by the grantor, the performance of which is secured by said trust deed, with respect to provisions therein which authorize sale in the event of default of such provision. The default for which the foreclosure is made is made is the failure to pay nine monthly payments of \$175 through January, 2009 plus late charges.

The sum owing on the obligation secured by the trust deed is \$14,766.76, plus accrued interest of \$467.04 as of January 20, 2009 and interest thereafter accruing at the rate of 8% per annum until paid, plus title expenses, costs, trustee's and attorney's fees incurred herein by reason of said default, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

Notice is hereby given that by reason of the default, beneficiary and trustee hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to ORS 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 compensation of the trustee as provided by law and reasonable attorney's fees.

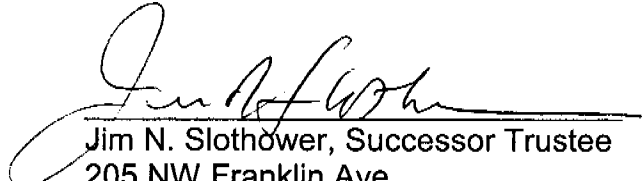
The sale will be held on **July 29, 2009**, at the hour of 10:00 o'clock AM in accord with the standard of time established by ORS 187.110, at the following place: In front of the main entry to the Klamath County Courthouse, 316 Main Street, Klamath Falls, County

2009 JUL 29

of Klamath, State of Oregon 97601.

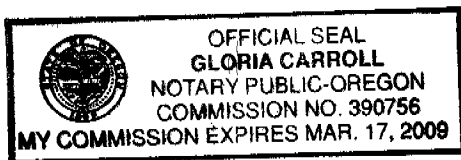
Notice is further give that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, together with costs, trustee's and attorney's fees, and by curing any other default described in this Notice of Default.


DATED: February 25, 2009.


Jim N. Slothower, Successor Trustee
205 NW Franklin Ave.
Bend, OR 97701

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on February 25, 2009, by Jim N. Slothower.




Notary Public for Oregon
My commission expires: 3-17-2009