

2009-003175
Klamath County, Oregon



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03/03/2009 03:58:57 PM

Fee: \$26.00

After recording, return to:

Irving Potter, Esq.
Josselson & Potter
425 NW 10th Avenue, Suite 306
Portland, OR 97209

NOTICE OF DEFAULT AND ELECTION TO SELL

James R.W. Harmon and Celia D. Harmon, as tenants by the entirety, are the Grantors, Irving Potter is the Trustee, and Gregory Funding LLC, an Oregon limited liability company, is the Beneficiary of the trust deed dated July 28, 2008, recorded on August 1, 2008, recorded as Recorder's Fee No. 2008-010966, of the mortgage records of Klamath County, Oregon. The trust deed covers the real property described as follows:

The Southwesterly 70 feet of Lot 53 and Northeasterly 30 feet of Lot 54, MOYINA, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Also known as: 6408 Elder Way, Klamath Falls, Oregon 97603

Appointment of Trustee, in which the Beneficiary named as Trustee, Irving Potter, was recorded on August 1, 2008, in the Official Klamath County Records, Klamath County, Oregon.

The undersigned, Irving Potter, certifies that there have been no assignments of the trust deed by the Trustee or the Beneficiary, and no appointment of a successor trustee. No action has been instituted to recover any part of the debt secured by the trust deed, except as allowed by ORS 86.735(4).

There is a default by the Grantor of the obligations secured by the trust deed, authorizing the sale of the collateral to satisfy the obligations of the trust deed and secured note. The default is as follows: Failure to pay when due the unpaid principal balance of \$70,975.72; plus accrued interest plus impounds and/or advances which became due on December 1, 2008 plus late charges, and all subsequent installments of principal, interest, balloon payments, plus impounds and/or advances and late charges that become payable.

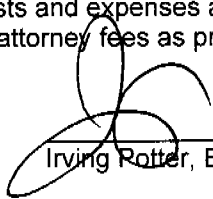
Notice is given that the Beneficiary and Trustee have elected to foreclose the trust deed by advertisement and sale of Grantor's interest, at public auction to the highest bidder for cash or cash equivalent, under ORS 86.705-86.795, to satisfy the secured debt, together with expenses of sale and compensation of the trustee and reasonable attorney fees, as provided by law.

The sale will be held in the interior foyer of the main entrance of the Klamath County Courthouse, located at 316 Main Street, Klamath Falls, Oregon 97601, County of Klamath, at 2:30 p.m., on Thursday, August 6, 2009.

Except as shown of record, neither the Beneficiary nor the Trustee has any actual notice of a person claiming or having a junior interest to the interest of the Trustee, or of the Grantor or successor, or of any lessee or other person in possession.

Any person named in ORS 86.753 has the right up to (5) five days before the date last set for sale, to reinstate the trust deed and have this foreclosure proceeding dismissed by payment to the Beneficiary of the entire amount then due (other than accelerated principal) and curing any other default complained of here that is capable of being cured, and paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney fees as provided in ORS 86.753.

Date: February 27, 2009




Irving Potter, Esq., Trustee

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on February 27, 2009, by Irving Potter.





Notary Public