

2009-003196

Klamath County, Oregon



00061900200900031960050054

COVER SHEET

ORS: 205.234

03/04/2009 02:57:07 PM

Fee: \$41.00

This cover sheet has been prepared by the persons presenting the attached instrument for recording. Any errors in this cover sheet DO NOT affect the transaction(s) contained in the instrument itself.

1st 1363413

After recording, return to:

Northwest Trustee
PO BOX 997
Bellevue WA 98009
Att: Catalina Bautista

The date of the instrument attached is March 3 2009.

1) NAMES(S) OF THE INSTRUMENT(S) required by ORS 205.234(a)

Notice of Default & Right to Sell

2) PARTY(IES)/GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160:

Reed, Gloria

3) PARTY(IES)/GRANTEE, required by ORS 205.125(1)(b) and ORS 205.160

B of A

4) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030

\$ _____

5) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY CLERK'S LIEN RECORDS, ORS 205.121(1)(c)

6) RE-RECORDED to correct: _____
Previously recorded as: _____

F41-

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Gloria Reed, as grantors, to First American Title Insurance Company, as trustee, in favor of Bank of America, N.A, as beneficiary, dated 05/19/05, recorded 06/20/05, in the mortgage records of Klamath County, Oregon, as Volume M05 Page 46165, covering the following described real property situated in said county and state, to wit:

Lot 106, Running Y Resort, Phase 2, according to the official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon

PROPERTY ADDRESS: LOT 10 RUNNING Y RESORT, PH 2
KLAMATH FALLS, OR 97601

There is a default by the grantor or other person owing an obligation or by their successor in interest, the performance of which is secured by said trust deed, or by their 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 grantors' failure to pay when due the following sums: monthly payments of \$986.30 beginning 06/01/08; plus late charges of \$49.32 each month beginning 06/16/08; plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to wit: \$189,369.43 with interest thereon at the rate of 6.25 percent per annum beginning 05/01/08; plus late charges of \$49.32 each month beginning 06/16/08 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

NOTICE OF DEFAULT AND ELECTION TO SELL

**RE: Trust Deed from
REED, GLORIA
Grantor
to
Northwest Trustee Services, Inc.,
Successor Trustee**

File No. 7530.20770

**For Additional Information:
After Recording return to:
Heather L. Smith
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900**

Notice is hereby given that the beneficiary and trustee, by reason of said 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 the grantor had, or had the power to convey, at the time grantor executed the trust deed, together with any interest the grantor or grantor's successors 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 reasonable fees of trustee's attorneys.


The sale will be held at the hour of 10:00 o'clock A.M., in accord with the standard of time established by ORS 187.110 on **July 9, 2009**, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Notice is further given that for reinstatement or payoff quotes requested pursuant to ORS 86.745 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com.

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 every other default complained of herein by tendering the performance required under the obligation or trust deed, in addition to paying said 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's fees not exceeding the amounts provided by said ORS 86.753. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.


Northwest Trustee Services, Inc., Trustee
Northwest Trustee Services, Inc.

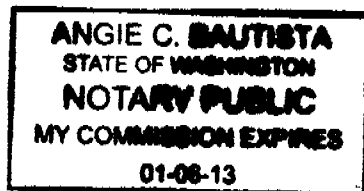
STATE OF WASHINGTON)


) ss.

COUNTY OF KING)

I certify that I know or have satisfactory evidence that Heather Smith is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as an Assistant Vice President of Northwest Trustee Services, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 3/3/2009




NOTARY PUBLIC in and for the State of
Washington, residing at Marysville
My commission expires 01/06/2013

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

**INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE PURSUANT TO ORS 86.74
AND PROOF OF SERVICE**

To: FEI, LLC
Fax:

I, the undersigned say and certify that:

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7D.(d) and 7D.(3), upon an occupant at:

LOT 10 RUNNING Y RESORT, PH 2
KLAMATH FALLS, OR 97601

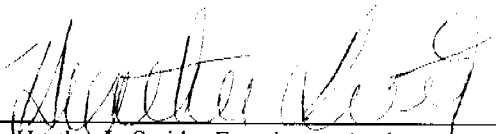
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Service should be attempted by 03/10/09, which is 120 days before the date fixed for the sale in the attached notice.

If you are not able to effect service, you must post the property with the notice and return three days later to attempt service again. If you are unable to effect service on the second visit, you must post the property with the notice and return three days later to attempt service a third time. If you are unable to effect service on the third visit, you must post the property with the notice, and prepare an affidavit of service/posting.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Dated: _____, 20____.


Heather L. Smith - Foreclosure Analyst

**TRUSTEE'S INSTRUCTIONS AND PROOF OF
SERVICE OF TRUSTEE'S NOTICE OF SALE**

**RE: Trust Deed from
Gloria Reed, Grantor
to**

**Northwest Trustee Services, Inc., Trustee
File No.7530.20770 Klamath County**

After recording return to:

**Northwest Trustee Services, Inc.
Attn: Heather L. Smith
P.O. Box 997
Bellevue, WA 98009-0997**

March 3, 2009

Notice

Pursuant to the Federal Fair Debt Collection Practices Act: If you are the consumer who originally contracted the debt or if you assumed the debt, then you are notified that:

1. As of the date of this notice, you owe \$200,410.75. Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call:

**Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900**

2. The creditor to whom the debt is owed is Bank of America, N.A./Bank of America Mortgage.
3. Unless within 30 days after receipt of this notice you dispute the debt or any portion of it, we will assume the debt to be valid.
4. If you notify us in writing within 30 days after receipt of this notice that you dispute the debt or any part of it, we shall obtain verification of the debt and mail it to you.
5. If you request in writing within 30 days after receipt of this notice, we will provide you with the name and address of the original creditor, if different from the current creditor.

REED, GLORIA/7530.20770