

2009-003610

Klamath County, Oregon

## NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from: JAMIE M. O'CONNOR AND  
DANIEL O'CONNOR AS TENANTS BY THE  
ENTIRETY, Grantor

To: Fidelity National Title Insurance Company,  
Successor Trustee

After recording return to(name, address, zip):

Fidelity National Title Insurance Company  
17911 Von Karman Ave, Suite 275  
Irvine , CA 92614



00062399200900036100030037

03/13/2009 03:19:32 PM

Fee: \$31.00

TS No: 09-01280-6 OR - Loan No: 0022336689

ATE 66582

Reference is made to that certain trust deed made by JAMIE M. O'CONNOR AND DANIEL O'CONNOR AS TENANTS BY THE ENTIRETY, as grantor, to FIRST AMERICAN TITLE, as trustee, in favor of EAGLE HOME MORTGAGE, INC., as beneficiary, dated as of August 31, 2006, and recorded September 13, 2006, in the Records of Klamath County, Oregon, Instrument No. 2006-018460, covering the following described real property situated in the above-mentioned county and state, to wit: APN: R568905 - LOT 3 IN BLOCK 5 OF TRACT 1126, FIRST ADDITION TO FERNDAL, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

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).

There is a default by grantor 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 such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:  
Principal balance \$154,953.47

**Delinquent Payments**

<u>FROM</u>	<u>THRU</u>	<u>NO. PMTS</u>	<u>INT. RATE</u>	<u>AMOUNT</u>	<u>GRAND TOTAL</u>
12/01/2008	03/12/2009	4	9.00000%	\$1,202.28	\$4,809.12

**Late Charges**

Grand Total Late Charges	\$180.33
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**Beneficiary's Advances, Costs and Expenses**

Grand Total	\$0.00
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Attorney's Fees and Costs	\$ 1,319.50
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<b>GRAND TOTAL REQUIRED TO REINSTATE</b>	<b>\$6,308.95</b>
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\$ 31 ATE

TS No :09-01280-6OR

Loan No: 0022336689

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: failed to pay payments which became due; together with late charges due;

Notice hereby is given that the beneficiary and trustee, by reason of 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 the hour of **10:00 AM**, in accord with the standard of time established by ORS 187.110, on **July 20, 2009**, at the following place: **At the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR**

FOR SALE INFORMATION CALL: **714-573-1965**

Website for Trustee's Sale Information: **[www.priorityposting.com](http://www.priorityposting.com)**

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 or of any lessee or other person in possession of or occupying the property except:

DANIEL O'CONNOR  
4858 LOMBARD DRIVE  
KLAMATH FALLS, OR 97603

Borrower

JAMIE O'CONNOR  
4858 LOMBARD DRIVE  
KLAMATH FALLS, OR 97603

Borrower

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), together with costs, trustee's and attorney's fees, 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, at any time prior to five days before the date last set for sale.

FOR FURTHER INFORMATION CONTACT:  
DEFAULT RESOLUTION NETWORK  
17911 Von Karman Ave, Suite 275  
Irvine, CA 92614  
949-622-5730

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to this 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 March 12, 2009

Fidelity National Title Insurance Company, Successor Trustee

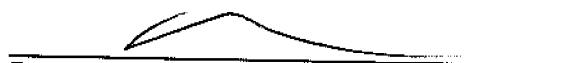
  
Natalie Franklin, Authorized Signor

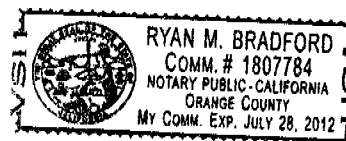
State of California }ss.  
County of Orange }ss

On March 12, 2009, before me, Ryan M. Bradford, a Notary Public, personally appeared Natalie Franklin, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
Ryan M. Bradford # 1807784  
My Commission Expires 7/28/2012



(Seal)