

WTC 85191

2009-007022

Klamath County, Oregon



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05/19/2009 11:21:38 AM

Fee: \$31.00

After recording mail to:  
Keith Y. Boyd, Successor Trustee  
Muhlheim Boyd, LLP  
88 E. Broadway  
Eugene, OR 97401

Until a change is requested, mail tax  
statements to:  
Ashton and Stephanie Crabb  
512 Ewald Avenue S.  
Salem, OR 97302-4745

### TRUSTEE'S NOTICE OF DEFAULT & ELECTION TO SELL

Reference is made to that certain trust deed made by Ashton L. Crabb and Stephanie Crabb, as tenants by the entirety, as grantor, to AmeriTitle, Inc., as trustee, in favor of Frederic L. Uggla, as beneficiary, dated February 1, 2008, recorded February 4, 2008, in the mortgage records of Klamath County, Oregon, reception number 2008-001395, covering the following described real property situated in said county and state, to-wit:

Lot 10 in Block 17 of TRACT NO. 1061, Second Addition to River Pine Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Keith Y. Boyd, the undersigned successor trustee, hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a trustee have been made except as recorded in the mortgage records of the county or counties in which the above-described real property is situated; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said 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 the grantor or other person owing an obligation, 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 grantor's failure to pay when due the following sums:

Monthly principal and interest installments of \$299.75 beginning November 4, 2008 through May 4, 2009 of \$2,098.25, plus monthly principal and interest installments of \$299.75 each month thereafter until paid; accrued late charges of \$89.94 as of April 19, 2009, plus monthly late fees of \$14.99 after May 19, 2009 and each month thereafter; plus costs and expenses to be reimbursed pursuant to the note and trust deed.

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:

The principal sum of \$29,894.10; plus accrued interest of \$2,209.04 and accrued late charges of \$89.94 through May 7, 2009; plus interest on the principal balance at the rate of 11.99 percent per annum from May 7, 2009 until paid; plus unpaid late fees from May 19, 2009 until paid; plus the cost of the foreclosure report; plus costs and attorneys fees; plus any other sums due or that may become due under the note and trust deed.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said 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 said described property which

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the grantor had, or had the power to convey, at the time of the execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said 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.


Said sale will be held at the hour of **2:00 o'clock p.m.**, in accord with the standard of time established by ORS 187.110 on October 12, 2009, at the following place: Main entrance 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 said sale.

Other than as shown of record, neither the said beneficiary nor the said 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 the grantor or of any lessee or other person in possession of or occupying the property.

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 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 the trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

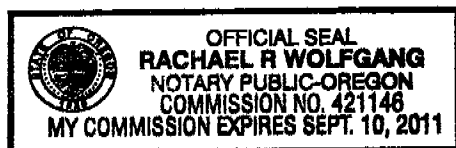
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.


DATED this 15<sup>th</sup> day of May, 2009.

  
Loren S. Scott, OSB #024502  
Attorney for Keith Y. Boyd, Successor Trustee  
88 E. Broadway  
Eugene, OR 97401

STATE OF OREGON     )  
                                      ) ss.  
County of Lane        )

This instrument was acknowledged before me on May 15, 2009 by Loren S. Scott, Attorney for Keith Y. Boyd, Successor Trustee.



  
Notary Public for Oregon  
My commission expires: 9-10-2011

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**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT**  
**15 USC SECTION 1692**

1. The amount of the debt is as follows:

The principal sum of \$29,894.10; plus accrued interest of \$2,209.04 and accrued late charges of \$89.94 through May 7, 2009; plus interest on the principal balance at the rate of 11.99 percent per annum from May 7, 2009 until paid; plus unpaid late fees from May 19, 2009 until paid; plus the cost of the foreclosure report; plus costs and attorneys fees; plus any other sums due or that may become due under the note and trust deed.

2. The beneficiary, Frederic L. Uggle, named in the Trustee's Notice of Sale is the creditor to whom the debt is owed.
3. The debt described in the Trustee's Notice of Sale will be assumed to be valid by the trustee unless the debtor, within thirty (30) days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
4. If the debtor notifies the successor trustee, Keith Y. Boyd, in writing within thirty (30) days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.
5. If the creditor named as beneficiary in the Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within the thirty (30) days from the receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written requests or objections should be addressed to:

Keith Y. Boyd.  
88 East Broadway  
Eugene OR 97401

7. This communication is an attempt to collect a debt, and any information obtained will be used for that purpose.