

2009-007038

Klamath County, Oregon



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05/19/2009 02:46:15 PM

Fee: \$26.00

After recording return to:
Attn: Foreclosure Department
RECONTRUST COMPANY, N.A.
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065

ATE 66681

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain Trust Deed made by KELLY C. MARTIN AND RICHARD S. HORNISH, WIFE AND HUSBAND, as grantors, to AMERITITLE, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, dated 02/22/2006, recorded 03/07/2006, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number M06-04149, covering the following described real property situated in said county and state, to wit:

LOT 3 IN BLOCK 18 OF RIVERSIDE ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 210 N ROGERS AVENUE

KLAMATH FALLS, OR 97601

There is default by the grantor or other person, or by their successor in interest, 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 grantors' failure to pay when due the following sums: monthly payments of \$1,342.12 beginning 08/01/2008; plus late charges of \$ 52.67 each month beginning 08/01/2008 payment plus prior accrued late charges of \$105.34; plus advances of \$115.00; together with title expense, costs, trustee's fees 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.

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: \$174,856.02 with interest thereon at the rate of 5.75 percent per annum beginning 07/01/2008 plus late charges of \$ 52.67 each month beginning 08/01/2008 until paid; plus prior accrued late charges of \$105.34; plus advances of \$115.00; together with title expense, costs, trustee's fees 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 OF DEFAULT AND ELECTION TO SELL
RE: Trust Deed from
KELLY C. MARTIN and RICHARD S. HORNISH,
Grantor
To
RECONTRUST COMPANY, N.A.,
Trustee TS No. 09 -0064105

For Additional Information:
Please Contact
Foreclosure Department
RECONTRUST COMPANY, N.A.
RECONTRUST COMPANY, N.A.
1800 Tapo Canyon Rd., CA6-914-01-94
SIMI VALLEY, CA 93063
(800)-281-8219

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 the 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.

\$ 26 ATE

