

UTC 85286

2009-007645

Klamath County, Oregon

RETURN TO:
Brandsness, Brandsness & Rudd, P.C.
411 Pine Street
Klamath Falls, OR 97601



06/02/2009 11:31:51 AM

Fee: \$26.00

**NOTICE OF DEFAULT
AND ELECTION TO SELL AND OF SALE**

Reference is made to a certain trust deed ("Trust Deed") made, as follows:

Dawsonhouse, Inc., an Oregon corporation, Grantor; AmeriTitle, Trustee; and South Valley Bank & Trust, an Oregon banking corporation, Beneficiary, recorded in Official/Microfilm Records, Volume M06, Page 07361, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, commonly known as 109455 Highway 97 N, Chemult, OR 97731 ("Property"):

See attached Exhibit "A"

The defaults for which foreclosure is made is grantor's failure to pay when due the following sums:

Failed to pay the monthly installment of \$1,993.70 due October 10, 2008 and monthly installments thereafter; failed to pay Klamath County Real Property taxes for fiscal years 2007-2008 and 2008-2009.

By reason of said defaults, the beneficiary has declared all sums owing on the obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:

Principal in the amount of \$235,541.51 plus interest thereon at the rate of 24% per annum from May 20, 2009 until paid; delinquent interest in the amount of \$19,015.29, late fees in the amount of \$160, a Force Place Insurance Policy in the amount of \$4,428, and Klamath County Real Property taxes for fiscal year 2007-2008 in the amount of \$1,491.39 plus interest; and Klamath County real Property taxes for fiscal year 2008-2009 in the amount of \$1,542.01 plus interest, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.

WHEREFORE, notice hereby is given that the undersigned trustee will, on October 13, 2009, at the hour of 10:00 o'clock a.m., in accord with the standard of time established by ORS 187.110, at the following place: Offices of Brandsness, Brandsness & Rudd, P.C., 411 Pine Street, Klamath Falls, Oregon, sell at public auction to the highest bidder for cash the interest in the above-described Property, which the grantor had or had power to convey at the time of the execution by grantor of the said Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. 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 sum 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.

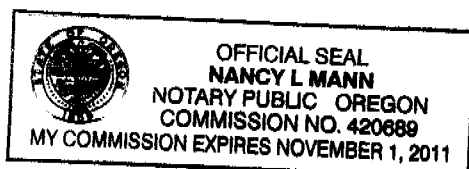
In construing this notice, the singular includes the plural, the word "grantor" includes each and every grantor, any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said Deeds of Trust, and the words "trustee" and "beneficiary"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

Dated: June 1, 2009.

Andrew C. Brandsness, Successor Trustee
411 Pine Street
Klamath Falls, OR 97601

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared before me this 1 day of June, 2009, the above-named Andrew C. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary Public for Oregon
My Commission expires: 11-1-11

26amt

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1:

Lots 1, 2, 3 and 4 in Block 1, ORIGINAL TOWNSITE OF CHEMULT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Parcel 2:

Commencing at the Northwest corner of Block 8, ORIGINAL TOWNSITE OF CHEMULT on the Easterly line of the Dalles-California Highway No. 97; thence in a Southerly direction and parallel along said highway a distance of 50 feet; thence at right angles to said highway in an Easterly direction, a distance of 150 feet; thence at right angles in a Northerly direction and parallel to said highway, a distance of 50 feet to the Southerly boundary of First Street; thence at right angles along the Southerly boundary of First Street to the point of beginning; and being part and portion of the W1/2 SW1/4 of Section 21, Township 27 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.