NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS

Si

NO	TICE	OF D	EFA	ULT
ΔND	ELEC	AOIT:	OT I	SELL

Pacific Trust Deed Servicing Co.

Trustee

After recording, return to National Actions At LAW
717 N.W. 5th STREET
GRANTS PASS, OR 97526

STATE OF OREGON,

2009-008762Klamath County, Oregon

00068428200900087620030033

SPACE RES FOR RECORDER

06/24/2009 03:03:04 PM

Fee: \$31.00

or County attiaco

*as modified and/or amended by that certain modification agreement between said Grantor and said Beneficiary dated September 4, 2008 and recorded in the official Records of Klamath County, Oregon on September 15, 2008 as Document No. 2008-012847.

SEE EXHIBIT "A"

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 default of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

The October 19, 2008 monthly installments in the total amount of \$17,708.35 and each month thereafter, plus buyer's fees of \$200.00, plus late charges in the total amount of \$14,160.00, plus \$15,500.00 paid to city of Klamath Falls with interest thereon at 12.5% per annum from April 7, 2009 until paid, plus \$793.77 paid to Klamath County tax collector with interest thereon at 12.5% from April 23, 2009 until paid.

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:

The unpaid principal balance in the amount of \$1,700,000.00 with interest thereon at 12.5% per ammun from September 19, 2008 until paid, plus late charges in the total amount of \$17,708.35, plus \$15,500.00 paid to city of Klamath Falls with interest thereon at 12.5% per annum from April 7, 2009 until paid, plus \$793.77 paid to Klamath County tax collector with interest thereon at 12.5% from April 23, 2009 until paid.



Notice hereby is given that the beneficiary and trustee, by reason of the 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 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on October 27, 2009, at the following place: Klamath County Courthouse, 305

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.

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:

Name and Last Known Address

Nature of Right, Lien or Interest

NONE

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 the 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 fees not exceeding the amounts provided by ORS 86.753.

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

Patrick J. Kelly, Successor Trustee
717 NW 5th Street
Grants Pass, OR 97526

STATE OF OREGON, County of Josephine
This instrument was acknowledged before me on Patrick J. Kelly

This instrument was acknowledged before me on by

This instrument was acknowledged before me on Society of State of State

My commission expires _



EXHIBIT "A"

Real property in the County of Klamath, State of Oregon, described as follows:

ALL OF VACATED BLOCKS 122, 123, 133, 134, 135, 136, 137, 138 AND 139.

THAT PORTION OF VACATED BLOCK 119 OF BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF LOT 2, BLOCK 119 WHICH IS SOUTHWESTERLY A DISTANCE OF 270.00 FEET FROM THE NORTHEAST CORNER OF SAID BLOCK 119; THENCE SOUTHWESTERLY TO THE SOUTHEASTERLY CORNER OF LOT 2; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK, 137.17 FEET TO THE SOUTHWEST CORNER OF LOT 1; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID BLOCK A DISTANCE OF 145.16 FEET, MORE OR LESS, TO A POINT OF THE NORTHWESTERLY LINE OF LOT 4; SAID POINT ALSO BEING SOUTHWESTERLY 155.0 FEET FROM THE MOST NORTHERLY CORNER OF SAID BLOCK 119; THENCE SOUTHEASTERLY IN A STRAIGHT LINE A DISTANCE OF 210.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LOTS 1, 2, 3, 4, 5 AND 6 IN VACATED BLOCK 120.

A PARCEL OF LAND LYING IN VACATED BLOCK 125, BUENA VISTA ADDITION KLAMATH FALLS, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID BLOCK 125; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF SAID BLOCK 125, A DISTANCE OF 85 FEET; THENCE SOUTHERLY IN A STRAIGHT LINE 260 FEET, MORE OR LESS, TO A POINT ON THE SOUTHEASTERLY LINE OF SAID BLOCK 125, SAID POINT OF BEING 110 FEET SOUTHWESTERLY OF THE MOST EASTERLY CORNER OF SAID BLOCK 125; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 125; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 125, A DISTANCE OF 320 FEET, MORE OR LESS, TO THE MOST WESTERLY CORNER OF SAID BLOCK 125; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID BLOCK 125 THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID BLOCK 125 THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID BLOCK 125 A DISTANCE OF 168.4 FEET TO THE PLACE OF BEGINNING.

ALL LOCATED IN BUENA VISTA ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

ALSO TOGETHER WITH THAT PORTION OF VACATED STREETS BY ORDINANCE NO. 06-14 WHICH RECORDED JULY 11, 2006 IN VOLUME M06, VOLUME 13985, RECORDS OF KLAMATH COUNTY, OREGON.

Tax Parcel Number: R299199, R787777 and R787786