

2009-010468

Klamath County, Oregon



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08/03/2009 03:29:12 PM

Fee: \$36.00

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from JARED W GETTMAN, A
MARRIED MAN Grantor

To FIRST AMERICAN TITLE INSURANCE
COMPANY
C/O CR TITLE SERVICES INC. Successor
Trustee

After recording return to(name, address, zip):
FIRST AMERICAN TITLE INSURANCE
COMPANY
C/O CR TITLE SERVICES INC.
1000 TECHNOLOGY DRIVE MS 314
O'FALLON MO 63368

SPACE RESERVED
FOR
RECORDER'S USE

TS No: T09-53508-OR

1st 1450876

Reference is made to that certain trust deed made by JARED W GETTMAN, A MARRIED MAN as grantor, to FIRST AMERICAN TITLE INSURANCE COMPANY C/O CR TITLE SERVICES INC. as successor trustee, in favor of UNION FEDERAL BANK OF INDIANAPOLIS, as beneficiary, dated 11-24-2004, recorded 11-30-2004, in the Records of KLAMATH County, Oregon, in book M04 at page 82614, and/or as fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in the above-mentioned county and state, to wit:

APN: R173038

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

Delinquent Payments

FROM	THRU	NO. PMT	RATE	AMOUNT	TOTAL
04/01/2009	07/30/2009	4	5.625	\$1,007.62	\$4,030.48

Total Late Charges:	\$161.20
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Beneficiary Advances	
INSPECTION FEES	\$45.00

\$4,236.68

TOTAL FORECLOSURE COST:	\$1,270.00
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TOTAL REQUIRED TO REINSTATE:	<u>\$5,506.68</u>
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F30-

TS No :T09-53508-OR

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 unpaid principal balance: \$140,216.65

INSTALLMENT OF PRINCIPAL AND INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 04/01/2009 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

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 **12-14-2009**, at the following place: **AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE, 316 MAIN STREET, KLAMATH FALLS, OR**

County of KLAMATH, State of Oregon, which is the hour, date and place last set for 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

JARED W GETTMAN, A MARRIED MAN

1855 BIRCH STREET
KLAMATH FALLS, OR 97601

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 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 July 30, 2009

FIRST AMERICAN TITLE INSURANCE COMPANY
AS AGENT TO THE TRUSTEE
C/O CR TITLE SERVICES INC.
3 Frist American Way
Santa Ana, CA 92707
PHONE 877-576-0472
REINSTATEMENT LINE 877-576-0472 x2




Maria De La Torre, Asst. Sec.

State of CA } ss
County of Orange

On July ~~30~~³¹, 2009 before me, Laura A. Kennedy Notary Public, personally
appeared MARIA DE LA TORRE 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.

Signature  (seal)
Laura A. Kennedy

Notary Public



Federal Law requires us to notify you that we are acting as a debt collector. If you are currently in a bankruptcy or have received a discharge in bankruptcy as to this obligation, this communication is intended for informational purposes only and is not an attempt to collect a debt in violation of the automatic stay or the discharge injunction.

A parcel of land situate in Block 24 ELFORADO HEIGHTS ADDITION to the City of Klamath Falls and being more particularly described as follows: Beginning at the West most corner of Lot 7 Block 24, ELDORADO HEIGHTS ADDITION to the City of Klamath Fall, Oregon, said corner being on the Southeasterly right of way of Birch Street and from which the Northwest corner of said Block 24 bears North 40 20'30" East 71.10 feet; thence South 40 39'30" East 124.32 feet; thence South 15 45'10" West 85.19 feet, more or less, to the Northeasterly corner of Lot 10, Block 24; thence along the Northeasterly line of lots 9 and 10, on a 6 36'40" curve to the left, 105.00 feet to the beginning of said curve; thence continuing along said Northeasterly line of Lot 9 and Lot 8, Block 24, North 40 45' West 55.00 feet, more or less, to the point of beginning. Tax Parcel Number 173038