

2009-011198

Klamath County, Oregon



00071359200900111980020025

08/20/2009 11:44:32 AM

Fee: \$26.00

ATE 67057

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Paul W. Chamberlain, as grantors, to First American Title Insurance Company, as trustee, in favor of Mortgage Electronic Registration Systems, Inc. solely as nominee for Wilmington Finance, Inc., as beneficiary, dated 03/21/06, recorded 03/27/06, in the mortgage records of Klamath County, Oregon, as Book M-06 Page 05675, and subsequently assigned to US Bank, National Association as Trustee for the MLMI Surf Trust Series 2006-BC3 by Assignment recorded as 2008-02435, covering the following described real property situated in said county and state, to wit:

The W 1/2 SE 1/4 Section 24 lying Northwesterly of U.S. 97, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon. Excepting therefrom any portion of the above described parcel conveyed to Richard J. Fletcher and Carol Fletcher by Warranty Deed recorded May 2, 1967 in Deed Volume M67 at Page 3294, Klamath County Microfilm records, being the North 100.8 feet of the W 1/2 SE 1/4 of said Section 24 lying Northwesterly of U.S. 97. And further excepting therefrom any portion of the above described parcel under Contract of Sale to Ivan G. Brown and Mary Lou Brown, recorded August 13, 1971 in Deed Volume M71 at Page 8521, microfilm records, more particularly described as follows: Commencing at the intersection of the Southeasterly right of way line of the Dalles-California Highway and the Northeasterly right of way of Tumbo Drive as shown on the Duly recorded subdivision "Jack Pine Village"; thence North 59 degrees 12' West 300.00 feet to the Northwesterly right of way line of said Highway; thence North 30 degrees 48' East, along said Northwesterly right of way line, 429.85 feet to the true point of beginning of this description; thence North 59 degrees 12' West 170.00 feet; thence South 30 degrees 48' West, 200.00 feet; thence North 59 degrees 12' West, 271.88 feet to the approximate centerline of an irrigation canal; thence North 34 degrees 12' East, along said centerline, 593.04 feet; thence South 59 degrees 12' East 406.71 feet to the said Northwesterly right of way line; thence South 30 degrees 48' West, along said Northwesterly right of way line 392.00 feet to the true point of beginning. Also Further Excepting therefrom: Commencing at the intersection of the Southeasterly right of way line of the Dalles-California highway and the Northeasterly right of way of Tumbo Drive; thence North 59 degrees 12' West 300 feet to the Northwesterly right of way line of said highway to the point of beginning; thence North 30 degrees 48' East along the Northwesterly right of way line 429.85 feet; thence North 59 degrees 12' West 170.00 feet; thence South 30 degrees 48' West 200 feet; thence North 59 degrees 12' West to the North-South quarter section line of Section 24; thence South along said quarter section line to the Northwesterly right of way line of said highway; thence North 30 degrees 48' East to the point of beginning of Section 24, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

PROPERTY ADDRESS: 147930 Highway 97 North
Gilchrist, OR 97737

There is a default by the grantor or other person owing an obligation or by their successor in interest, 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 \$1,268.05 beginning 09/01/08; plus late charges of \$63.40 each month beginning 09/16/08; plus prior accrued late charges of \$1,050.82; plus advances of \$4,037.61; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$156,459.52 with interest thereon at the rate of 8.75 percent per annum beginning 08/01/08; plus late charges of \$63.40 each month beginning 09/16/08 until paid; plus prior accrued late charges of \$1,050.82; plus advances of \$4,037.61; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

NOTICE OF DEFAULT AND ELECTION TO SELL

**RE: Trust Deed from
Chamberlain, Paul W.
Grantor
to
Northwest Trustee Services, Inc.,
Successor Trustee**

File No. 7345.21303

**For Additional Information:
After Recording return to:
Chris Ashcraft
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900**

\$26 ATE

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 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.

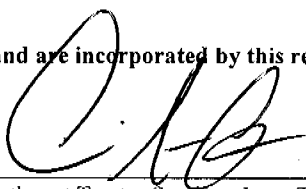
The sale will be held at the hour of 10:00 o'clock A.M., in accord with the standard of time established by ORS 187.110 on **December 29, 2009**, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Notice is further given that for reinstatement or payoff quotes requested pursuant to ORS 86.745 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com.

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 every other default complained of herein by tendering the performance required under the obligation or trust deed, 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 trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.


Northwest Trustee Services, Inc., Trustee
Northwest Trustee Services, Inc.

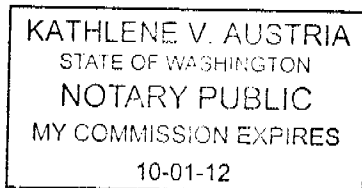
STATE OF WASHINGTON)

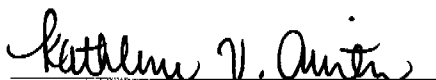
) ss.

COUNTY OF KING)

I certify that I know or have satisfactory evidence that Chris Ashcraft is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as an Assistant Vice President of Northwest Trustee Services, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 08/19/09




NOTARY PUBLIC in and for the State of
Washington, residing at Bellevue
My commission expires 10/01/12

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE