

WTC 85770

NOTICE OF DEFAULT WITH ELECTION TO SELL
Re: Trust Deed from
Douglas Ivey and Sig-Britt Ivey, Grantor
to
AmeriTitle, an Oregon Corp., Trustee

2009-011210

Klamath County, Oregon



00071376200900112100030034

08/20/2009 03:14:35 PM

Fee: \$31.00

AFTER RECORDING, RETURN TO:
Drabkin, Tankersley, & Wright, LLC
P.O. Box 625
McMinnville, OR 97128

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Douglas Ivey and Sig-Britt Ivey as grantor, to AmeriTitle, an Oregon Corp., Trustee, in favor of Robert I. Carter (now deceased) and Eva M. Carter, husband and wife, as beneficiaries, dated August 28, 2007, recorded August 31, 2007, in the mortgage records of Klamath County, Oregon, at Book 2007, Page 015480, covering the following described real property situated in said county and state, to-wit:

----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 mortgage records of the county or counties in which the above described real property is situate; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action has been dismissed.

There is a default by the grantor or other person 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 independent defaults for which foreclosure is made are grantor's failure to pay when due the following sums:

1) Insurance premiums, requiring Eva Carter to obtain insurance at a cost of \$559, and 2) the scheduled monthly payments of \$1,237.93 each, beginning with the payment due September 1, 2008.

By reason of said default, 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:

\$144,740.39 plus interest at a rate of 8% per annum from September 23, 2008, as well as \$348.27 in past accrued interest, plus \$559 for insurance premiums paid by beneficiary

Notice hereby is given that the beneficiary and successor trustee, by reason of the default have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to Oregon Revised Statutes, sections 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the property which the grantor had, or had the power to

3/1/09

convey, at the time of the execution by him of 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.

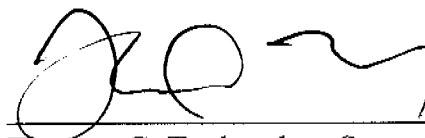
The sale will be held at the hour of 11 A.M. o'clock in accordance with the time established by Section 187.110 of Oregon Revised Statutes on February 2, 2010, at the following place: Klamath County Courthouse, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee for the sale.

Other than as shown of record, neither the beneficiary nor the successor 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 the grantor or of any lessee or other person in possession of or occupying the property, except: None.

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the successor trustee conducts 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 fees not exceeding the amounts provided by Section 86.735 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, 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.

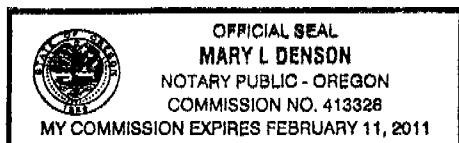
Dated: August 18, 2009.



Thomas C. Tankersley, Successor Trustee
Drabkin, Tankersley & Wright, LLC
P.O. Box 625
McMinnville, OR 97128

STATE OF OREGON, County of Yamhill) ss.

On the 18th day of August, 2009, personally appeared Thomas C. Tankersley and acknowledged this instrument to be his free act and deed. Before me:


NOTARY PUBLIC FOR OREGON

RE LAND

EXHIBIT "A"
LEGAL DESCRIPTIONPARCEL 1

The South Half of the following described property:

Lots 12, 13, 14, 15, 16, 17 and 18 in Block 4 of IDLEREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2

Lot 25 and Lot 26 in Block 1 of IDLEREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.