NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from Richard M. Hines & Katie I. Hines 6012 Coopers Hawk Rd Klamath Falls, OR 97601 Amerititle, an Oregon corporation 300 Klamath Avenue Klamath Falls, OR 97601 After recording, return to (Name, Address, Zip): James R. Uerlings Boivin, Uerlings & Dilaconi, P.C. 803 Main Street, Ste 201

Klamath Falls, OR 97601

2009-013827

Klamath County, Oregon



00074510200900138270020027

SPACE RESE 10/26/2009 03:06:30 PM FOR

Fee: \$42.00

Reference is made to that certain trust deed made by Richard M. Hines and Katie I. Hines Amerititle, an Oregon corporation in favor of _____ South Valley Bank and Trust dated May 26, 2005 recorded on May 27, 2005, in the Records of Klamath County, Oregon, in book reel volume No. M05 at page 39266, described real property situated in the above-mentioned county and state, to-wit:

Lot 1142, Running Y Resort, Phase 13, Tract 1429, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

James R. Uerlings appointed Successor Trustee on October 22, 2009 and recorded on October 23, 2009 in the Records of Klamath County, Oregon in 2009- a / 3802.

Grantors' interest in the property deeded to RM Hines Development, an Oregon corporation, (aka, R.M. Hines Development, Inc.) by deed dated August 20, 2008, recorded on August 22, 2008 in the Records of Klamath County, Oregon in 2008-011895.

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 abovedescribed 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:

- a) Six delinquent payments of \$811.69 from 05/01/09-10/01/09 at 6.5% per annum with late fees of \$40.59 each for a total due of \$5,113.68;
- b) Plus failure to pay Klamath County property taxes of \$1,629.30, plus interest after 09/01/09;
- c) Plus costs and attorney fees of beneficiary; and,
- d) Plus Running Y Homeowners Association dues.

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:

\$149,809.41 plus interest of \$5,842.56 through 10/22/09 and interest thereafter at 6.5%on the principal and balance, plus late fees of \$243.51 through 10/20/09 and \$40.59 per month thereafter, plus Klamath County property taxes of \$1,629.30, plus interest after 09/01/09 at the County's interest rate, plus Running Y Homeowners Association dues, plus the beneficiary's attorney fees and collection costs, and the trustee's fees and collection costs.

(OVER)



bidd gran deed prov 187.	rust deed by advertisement and sale pursuant to ORS are for eash the interest in the described property which tor of the trust deed, together with any interest grantor l, to satisfy the obligations secured by the trust deed and ided by law, and the reasonable fees of trustee's attorn. The sale will be held at the hour of1	86.705 to 86.795, a grantor had, or learn or grantor's succeed the expenses of the expenses of the expenses. 1 lock,A.M., following place:	the default, have elected and do hereby elect to foreclose and to cause to be sold at public auction to the highest and the power to convey, at the time of the execution by essor in interest acquired after the execution of the trust of the sale, including the compensations of the trustee as a naccord with the standard of time established by ORS 803 Main Street, Suite 201
	Klamath , Stat	in the City of te of Oregon, wh	Klamath Falls , County of ich is the hour date and place last set for the sale
to ha	Other than as shown of record, neither the beneficia	ry nor the trustee above described s	has any actual notice of any person having or claiming subsequent to the interest of the trustee in the trust deed.
1)	RM Hines Development, an Oregon corp (aka, R.M. Hines Development, Inc.) 6012 Coopers Hawk Rd Klamath Falls, OR 97601	ooration	Deeded Interest
2)	Carl Monett & Abound!, LLC 2450 Wantland Klamath Falls, OR 97601		Judgment Lien Klamath County Circuit Court Case #07-02700CV September 25, 2007
and i ally i ed by as w	n addition to paying the sums or tendering the performation of the incurred in enforcing the obligation and trust deed, tog y ORS 86.753. In construing this notice, the singular includes the plell as any other person owing an obligation, the performation of the performance of the properties of the performance of th	ance necessary to ether with trustee lural, the word "g nance of which is	performance required under the obligation or trust deed, cure the default, by paying all costs and expenses actuals and attorney fees not exceeding the amounts providerantor" includes any successor in interest to the grantor a secured by the trust deed, and the words "trustce" and
	DATED October 26, 2009	. Van	& wo
	· · · · · · · · · · · · · · · · · · ·	James	R. Uerlings, Suscessor Trustee
			☑ Trustee ☐ Beneficiary (indicate which)
	STATE OF OREGON, County o	f Klamat	
	byJames_RUerling This instrument was ackn	s owledged before	me on October 26, 2009
	byJames_R_ <u>Uerling</u> This instrument was ackn by	owledged before	me on October 26, 2009
	byJames_RUerling This instrument was ackn by as	ssowledged before	me on October 26, 2009