

2009-014123

Klamath County, Oregon



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11/02/2009 01:24:14 PM

Fee: \$42.00

AFTER RECORDING RETURN TO:
Shapiro & Sutherland, LLC
5501 N.E. 109th Court, Suite N
Vancouver, WA 98662
09-102418
ATE 67296

NOTICE OF DEFAULT AND ELECTION TO SELL

A default has occurred under the terms of a trust deed made by Beverly Ann McCluskey, as grantor to First American Title of Oregon, as trustee, in favor of Mortgage Electronic Registration Systems, Inc., as nominee for BCK Capital Inc., as beneficiary, dated July 21, 2005, recorded July 26, 2005, in the mortgage records of Klamath County, Oregon, in Book Vol. M05, at Page 57874, beneficial interest having been assigned to EverHome Mortgage Company, as covering the following described real property:

Unit 10109, Wright Avenue, FALCON HEIGHTS CONDOMINIUM STAGE 3, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

COMMONLY KNOWN AS: 10109 Wright Avenue, Klamath Falls, OR 97603

Kelly D. Sutherland, Successor Trustee, hereby certifies 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 except as permitted by ORS 86.735(4).

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 default for which foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments in the sum of \$950.48, from February 1, 2009, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

By reason of said default, the beneficiary has declared all sums owing on the obligation that the trust deed secures immediately due and payable, said sums being the following, to-wit:

\$108,430.78, together with interest thereon at the rate of 7.25% per annum from January 1, 2009, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclosure said trust deed by advertisement and sale pursuant to

ATE #42

