

2009-014526

Klamath County, Oregon



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11/12/2009 02:49:13 PM

Fee: \$47.00

# NOTICE OF DEFAULT AND ELECTION TO SELL

**RE: Trust Deed from MATTHEW A. GREENLEAF  
and AMIE M. GREENLEAF, AS TENANTS BY THE  
ENTIRETY Grantor**

**ATE 67313**

**To LSI TITLE COMPANY OF OREGON, LLC  
Successor Trustee**

After recording return to(name, address, zip):

**Executive Trustee Services, LLC  
2255 North Ontario Street, Suite 400  
Burbank, California 91504-3120**

SPACE RESERVED  
FOR  
RECORDER'S USE

**(818) 260-1600**

**TS No: OR-231839-F**

**Loan No: 0602147401**

Reference is made to that certain trust deed made by MATTHEW A. GREENLEAF and AMIE M. GREENLEAF, AS TENANTS BY THE ENTIRETY as grantor, to AMERITITLE, as trustee in favor of "MERS" MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR LENDER NORTHWEST MORTGAGE GROUP, INC., AN OREGON CORPORATION, as beneficiary, dated 10/10/2008, recorded 10/17/2008, in the Records of Klamath County, Oregon, in book at page , and/or as fee/file/instrument/microfilm/reception No. 2008-014249 (indicate which), covering the following described real property situated in the above-mentioned county and state, to wit:

**APN: R-3809-029DC-04600-0 R370832  
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

<u>FROM</u>	<u>THRU</u>	<u>NO.</u> <u>PMTS</u>	<u>RATE</u>	<u>INT. ON</u> <u>PRINCIPAL</u>	<u>AMOUNT</u>	<u>IMPOUND</u>	<u>TOTAL</u>
7/1/2009	9/30/2009	3	6	\$3,279.52	\$995.58	\$191.82	\$3,562.20
10/1/2009	11/6/2009	2	6	\$975.72	\$995.58	\$193.58	\$2,378.32

Total Late Charges:

\$190.03

**Beneficiary Advances**

Accrued Late Charges

\$94.97

Miscellaneous

\$33.75

\$6,259.27

**TOTAL FORECLOSURE COST:**

\$2,469.80

**TOTAL REQUIRED TO REINSTATE:**

\$8,729.07

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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:

Unpaid principal balance of \$164,879.31; plus accrued interest plus impounds and / or advances which became due on 7/1/2009 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 **3/25/2010**, at the following place: **On the front steps of the Circuit Court, 316 Main St, in the City of Klamath Falls, County of Klamath, Oregon**

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

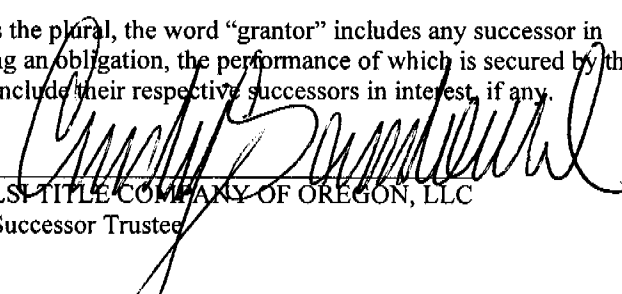
**MATTHEW A. GREENLEAF and AMIE M. GREENLEAF**

6022 SE ROBIL DR  
MILWAUKIE, OR 97222-8902

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 11/6/2009

  
LSI-TITLE COMPANY OF OREGON, LLC  
Successor Trustee

State of California ) ss.

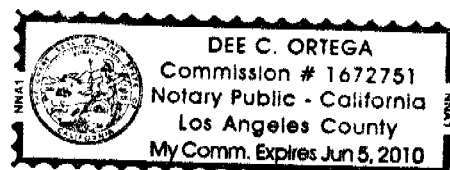
County of Los Angeles)

On 11/6/2009 before me, Dee C. Ortega Notary Public, personally appeared Cindy Sandoval 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)



OR-231839F

Property Address: 702 N. 11TH STREET, KLAMATH FALLS, OREGON 97601

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Beginning at the most Easterly corner of Lot 1, Block 67 NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON; thence Northwesterly along the West line of Eleventh Street, 40 feet; thence Southwesterly at right angles with Eleventh Street to the right of way of the U.S. Government Canal; thence Southeasterly along said right of way to the North line of Grant Street, formerly Franklin Street; thence Northeasterly along the North line of said Grant Street to the most Easterly corner of said Lot 1, the point of beginning and being the Southeasterly 40 feet of Lots 1 and 2 of said Block 67, NICHOLS ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPT any portion thereof lying within the right of way of the USBR "A" Canal.

A.P.N. # : \_\_\_\_\_

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