

Return to after recording:

Gary L. Hedlund
Attorney at Law
303 Pine Street
Klamath Falls, OR 97601

2010-002339

Klamath County, Oregon



02/17/2010 08:30:53 AM

Fee: \$47.00

NOTICE OF DEFAULT

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TRUSTEE'S NOTICE OF SALE

REFERENCE IS MADE to that certain Trust Deed made by Banjo W. Thornley, Sy Strider, La Beads Yawhee and La Wings Yahwee, as Grantor(s), to AMERITITLE, as Trustee, in favor of Victoria J. Freitas, as Beneficiary, dated February 25, 2008 recorded March 17, 2008 in the mortgage records of Klamath County, Oregon, as Recorder's microfilm record Volume 2008-003354 covering the following described real property situated in said county and state, to wit: Lot 6, Block 12, SECOND ADDITION TO NIMROD RIVER PARK, according to the official plat thereof on file in the office of the County Clerk, Klamath County Oregon. Property civil address: 3315 Malheur Drive Sprague River, Oregon

There has been default by the Grantor, or other person or by their successor in interest, upon the payments owing on the obligation, the performance of which is secured by said Trust Deed, with respect to the provisions therein which authorize sale in the event of default of such provision. Both the Beneficiary and the Trustee have elected to sell the real property to satisfy the obligations secured by the Trust Deed and notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is Grantor's failure to pay when due the following sums: quarterly installment payments of \$313.21 beginning May 1, 2008 to the date of this notice; together with title expense, costs, trustees fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, said sums being the following to wit: \$ 5,000.00 with interest thereon at the rate of nine percent per annum beginning February 25, 2008 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interests therein.

WHEREFORE, notice hereby is given that, Gary L. Hedlund Esq., the undersigned successor Trustee will on July 12, 2010 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, 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, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the Trustee. 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 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 the Trustee's and attorney's 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 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.

NOTICE TO TENANTS: If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement. If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of sale. If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out. To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30-days before the date first set for the sale. If you have a fixed-term lease, you must give the trustee a copy of the rental agreement. If you do not have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of sale is May 10, 2010. Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law. You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so. If you believe you need legal assistance with this matter, you may contact the Oregon State Bar's lawyer referral service at 503-684-3763 or toll-free in Oregon at 800-452-7636. If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance. For more information and a directory of legal aid programs, go to <http://oregonlawhelp.org> or contact the Oregon State Bar's lawyer referral service at the phone numbers referenced above.

Dated: February 16, 2010


Gary L. Hedlund, Successor Trustee



STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared Gary L. Hedlund, Successor Trustee, on February 16, 2010, who, being duly sworn acknowledged said instrument to be his voluntary act and deed.

Before me:

Colores Down
NOTARY PUBLIC FOR OREGON
My Commission Expires: 5-23-2010



For further information, please contact:
Gary L. Hedlund; Successor Trustee;
303 Pine Street;
Klamath Falls, Oregon 97601;
Telephone No. : 541 883 345

Ad # _____ Published: _____ 2010.