

2010-004496

Klamath County, Oregon

Roy & Shelly Morrison, Grantors  
12869 Hwy 66  
Klamath Falls, OR 97601



00082664201000044960030033

04/13/2010 02:47:19 PM

Fee: \$47.00

John W. Weil, Successor Trustee  
1001 SW 5th Ave, Suite 2150  
Portland, OR 97204

**After recording return to:**

John W. Weil, Successor Trustee  
1001 SW 5th Ave, Suite 2150  
Portland, OR 97204

ATE 67545

**NOTICE OF DEFAULT AND ELECTION TO SELL**

Reference is made to the deed of trust under which Roy A. Morrison and Shelly A. Morrison, as grantor, Amerititle is the trustee, and Ford Consumer Finance Company, Inc. , is the beneficiary, which was dated June 24, 1996 and recorded June 28, 1996 in Book M96, Page 19245 in the Official Records of Klamath County, Oregon. Said deed of trust cover the following described real property situated in the above-mentioned county and state, to-wit:

A parcel of land within that tract of real property recorded in Volume 259 at page 658 of Deed Records of Klamath County, Oregon, described therein as being situated in Sections 29 and 32, Township 39 South, Range 8 East of the Willamette Meridian said parcel of land being Parcel 2 of Partition #79-84, more particularly described as follows:

Beginning at the Northwest corner of the above mentioned tract of real property, which corner is recorded as being in an old established fence line distant 368 feet West, more or less, from the Northeast corner of the SE 1/4 of the SW 1/4 of Section 29, Township 39 South, Range 8 East of the Willamette Meridian; thence South 6° 21' East along the West boundary of said tract of real property a distance of 3289.58 feet to the true point of beginning of this description; thence North 67° 22' East, 658.62 feet; thence North 04° 11' 20" West 324.00 feet; thence South 70° 55' 45" West 660.53 feet; thence South 06° 21' East 362.00 feet to the point of beginning containing 5.00 acres, more or less, and being in Section 32, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING from the above described parcel, all that portion lying South of a line parallel with the South boundary thereof and 181.00 feet distant from said South boundary as measured along the East boundary.

TOGETHER WITH: the non-exclusive right of ingress and egress across a 60 foot strip of land more particularly described as follows:

Starting at the steel stake which marks the Northeast corner of that tract of land described in Volume M 66, page 7445 of Deed Records of Klamath County, Oregon; thence South 4° 11.3' East 317.41 feet along the Easterly line of the above described parcel to an iron pin; thence South 4° 11.3' East 546.30 feet to a steel stake lying on the Northerly right of way line of Oregon Highway 66 as constructed; thence North 72° 56.4' East 30.77 feet along said right of way line to a steel stake; thence North 4 degrees 11.3' West, 862.06 feet to a steel stake; thence South 74° 20.9' West 30.61 feet to a steel stake; thence South 74° 20.9' West 30.61 feet to the place of beginning of this description.

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

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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 grantor's successor in interest, performance of which is secured by the trust deed, 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:

Failure to make monthly payments of **\$704.55** each due on the 1st day of September 2009 through April 1, 2010.

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:

**\$59,807.34**; plus a per diem of \$15.04; plus attorney and trustee's fees and costs.

Notice is hereby given that the beneficiary and trustee, by reason of the 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 grantors have, or have the power to convey, at the time of the execution by grantors of the trust deed, together with any interest grantor or grantors' successor 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 **11:00 A.M.**, in accord with the standard of time established by ORS 187.110, on **Friday, September 24, 2010** at the following place: the **Klamath County Courthouse, 316 Main St, Klamath Falls, OR 97601**.

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 grantors or of any lessee or other person in possession of or occupying the property.

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 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

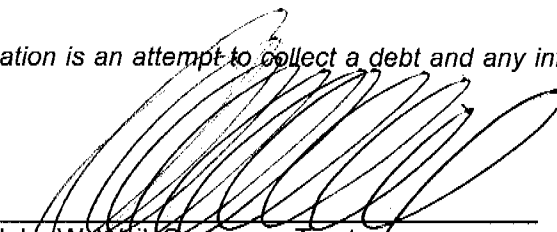
*The total amount due on the debt as of the date of this notice is \$60,574.38. Unless you notify this office in writing within 30 days after receiving this communication that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this communication that you dispute the validity of the debt or any portion thereof, this office will obtain a verification of debt and mail you a copy of the verification. If you request this office in writing within 30 days from receiving this communication this office will provide you with the name and address of the original creditor, if different from the current creditor.*

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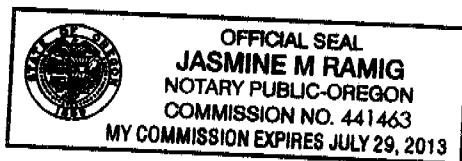
*We are a debt collector. This communication is an attempt to collect a debt and any information obtained will be used for that purpose.*

DATED: April 9, 2010.

  
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John W. Weil, Successor Trustee  
1001 SW 5th Avenue, Suite 2150  
Portland, OR 97204  
Telephone: (503) 226-0500

STATE OF OREGON     )  
                              ) ss.  
County of Multnomah    )

This instrument was acknowledged before me by John W. Weil on April 9, 2010.



  
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Notary Public for Oregon