



00082766201000045870030036

04/15/2010 02:26:53 PM

Fee: \$47.00

After recording return to:  
Attn: Foreclosure Department  
RECONTRUST COMPANY, N.A.  
400 COUNTRYWIDE WAY SV-35  
SIMI VALLEY, CA 93065

ATE 67688

**NOTICE OF DEFAULT AND ELECTION TO SELL**

Reference is made to that certain Trust Deed made by PATRICIA MARIE PEARSON, as grantors, to FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee, in favor of BANK OF AMERICA, N.A., as Beneficiary, dated 10/10/2006, recorded 10/19/2006, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number 2006-021010, covering the following described real property situated in said county and state, to wit:

SEE ATTACHED FOR LEGAL DESCRIPTION

PROPERTY ADDRESS: 5710 PINNACLE PLACE  
KLAMATH FALLS, OR 97603

There is default by the grantor or other person, or by their successor in interest, 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 grantors' failure to pay when due the following sums: monthly payments of \$1,346.46 beginning 01/01/2010; plus late charges of \$ 52.82 each month beginning 01/01/2010 payment plus prior accrued late charges of \$-264.10; plus advances of \$0.00; 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 interest therein.

By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following, to wit: \$151,548.78 with interest thereon at the rate of 7.125 percent per annum beginning 12/01/2009 plus late charges of \$ 52.82 each month beginning 01/01/2010 until paid; plus prior accrued late charges of \$-264.10; plus advances of \$0.00; 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 interest therein.

**NOTICE OF DEFAULT AND ELECTION TO SELL**  
**RE: Trust Deed from**  
**PATRICIA PEARSON,**  
**Grantor**  
**To**  
**RECONTRUST COMPANY, N.A.,**  
**Trustee TS No. 10 -0048987**

**For Additional Information:**  
**Please Contact**  
**Foreclosure Department**  
**RECONTRUST COMPANY, N.A.**  
**RECONTRUST COMPANY, N.A.**  
**1800 Tapo Canyon Rd., CA6-914-01-94**  
**SIMI VALLEY, CA 93063**  
**(800)-281-8219**

Notice is hereby given that the Beneficiary and Trustee, by reason of said 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 the grantor had, or had the power to convey, at the time the grantor executed the Trust Deed, together with any interest the grantor or grantor's successors 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 reasonable fees of Trustee's attorneys.

ATE 47

The sale will be held at the hour of 10:00 AM , in accordance with the standard of time established by ORS 187.110 on Wednesday, August 25, 2010, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main St., Klamath Falls, Klamath County, OR  
, which is the hour, date and place last set for the sale.

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 every other default complained of herein by tendering the performance required under the obligation or Trust Deed, 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 trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

In constructing 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.

RECONTRUST COMPANY, N.A.

Heidi Recinos

Heidi Recinos, Team Member

STATE OF CALIFORNIA )  
COUNTY OF VENTURA ) ss.

On April 13, 2010, before me, E. L. Howard, notary public, personally appeared HEIDI RECINOS, personally known to me (or 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.

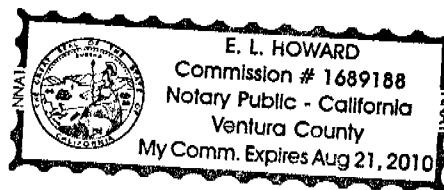
WITNESS my hand and official seal.

E. L. Howard

Notary Public for CALIFORNIA  
My commission expires: 8/21/2010

(SEAL)

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.**



TS#10-0048987

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lot 21 in Block 4 of TRACT 1299, SECOND ADDITION TO FERNDALE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM...

A tract of land being a portion of Lot 21 in Block 4 of TRACT 1299, SECOND ADDITION TO FERNDALE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, situated in the NW1/4 NW1/4 of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the corner common to Lot 22, Block 4 and said Lot 21, said point being on the right of way line of Pinnacle Place; thence South 19° 33' 10" West 102.23 feet to a point on the South line of said Lot 21; thence South 89° 47' 55" West 16.00 feet to the corner common to Lots 13 and 14, Block 4, and said Lots 21 and 22; thence North 27° 31' 00 East 108.68 feet to the point of beginning, with bearings based on the plat of "Tract 1299 - Second Addition to Ferndale", on file at the office of the Klamath County Surveyor.

Tax Account No: 3909-013BB-06500-000

Key No: 879961