

2010-008838

Klamath County, Oregon



00087750201000088380020029

07/26/2010 10:00:09 AM

Fee: \$42.00

RE: Trust Deed from

Francisco Mendez and

Cruz Hilda Mendez

P.O. Box 22

Merrill, OR 97633

Grantor

--TO--

Aspen Title & Escrow, Inc.

(Neal G. Buchanan, Attorney at Law

as Successor)

435 Oak Street

Klamath Falls OR 97601 **Trustee**

After recording return to:

Neal G. Buchanan, Attorney at Law

435 Oak Avenue

Klamath Falls, Oregon 97601

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by FRANCISCO MENDEZ and CRUZ HILDA MENDEZ as Grantor, to Aspen Title & Escrow, Inc., (Neal G. Buchanan, Attorney at Law, as Successor) as Trustee, in favor of CAMILLE LAROYCE WILLIAMS aka CAMILLE L. WILLIAMS-NAYLOR as beneficiary dated February 2, 2010, recorded on February 23, 2010, in the records of Klamath County, Oregon, in Book 2010 at Page 002589, covering the following described real property situated in the above-mentioned county and state, to-wit:

All those portions of Tracts 52 and 54 of MERRILL TRACTS, being more particularly described as follows:

Beginning at a point on the West line of Main Street in the City of Merrill which is West a distance of 50 feet and South a distance of 255.0 feet from the corner common to Sections 1, 2, 11 and 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County; thence West, at right angles to Main Street, a distance of 122.0 feet, thence North parallel to Main Street, a distance of 90.0 feet; thence East, at right angles to Main Street, a distance of 122.0 feet to the West line of Main Street; thence South along the West line of Main Street, a distance of 90.0 feet to the point of beginning.

By appointment of Successor Trustee recorded at Volume 2010, Page 008788, Neal G. Buchanan, Attorney at Law, was appointed as Successor Trustee.

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 default of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

- (1) Payment due March 21, 2010, and each month thereafter in the sum of \$398.32;
- (2) Failure to pay real property taxes before the same become past due or delinquent;

- (3) Failure to maintain insurance on the premises and to provide copies of the policies of insurance to the Beneficiary; and
- (4) Failure to provide proof that non-compliance with sewer disposal requirements has been remedied

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:

- (1) Principal balance in the sum of \$21,113.75, together with interest thereon at the rate of 9% per annum from February 22, 2010, until paid;
- (2) Real property taxes that are past due or delinquent;
- (3) Providing of proof of insurance and a copy of the insurance policy consistent with the requirements of the trust deed; and,
- (4) Proof that the non-compliance with sewer disposal requirements has been remedied.

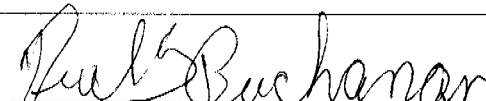
Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the exception 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 **1 o'clock PM**, in accord with the standard of time established by ORS 187.110 on **Friday, December 3, 2010**, at 435 Oak Avenue, Klamath Falls, Oregon, County of Klamath, State of Oregon, which is the hour, date and place last set for the 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:

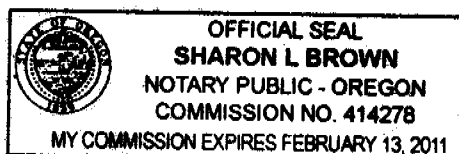
Name and Last Known Address	Nature of Right, Lien or Interest
Francisco Mendez and Cruz Hilda Mendez P.O. Box 22, Merrill OR 97633	Trust Deed Grantors and Occupants
Klamath County Planning Department 305 Main Street, Klamath Falls OR 97601	Judgment entered in Klamath County Circuit Court Case No. 0801763CV
Carter-Jones Collection Service, Inc. c/o Kent Pedersen, President 1143 Pine Street, Klamath Falls OR 97601	Assignee of Judgment entered in Case No. 0801763CV


DATED: July 26, 2010


NEAL G. BUCHANAN, Attorney at Law
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on July 26, 2010, by Neal G. Buchanan, Attorney at Law, Successor Trustee.




NOTARY PUBLIC FOR OREGON
My commission expires: 2-13-11