

2010-011089

Klamath County, Oregon



00090435201000110890040045

09/17/2010 03:39:47 PM

Fee: \$52.00

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from: DAVID G CRIDER AND LINDA S CRIDER, AS TENANTS BY THE ENTIRETY., Grantor

To: Fidelity National Title Insurance Company, Successor Trustee

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

Fidelity National Title Insurance Company
17100 Gillette Ave
Irvine , CA 92614

TS No: OR05000137-10-1

Loan No: 501181268

Title Order No: 100532979-OR-GNO

ATE 68142

Reference is made to that certain trust deed made by DAVID G CRIDER AND LINDA S CRIDER, AS TENANTS BY THE ENTIRETY., as grantor, to AMERITITLE, as trustee, in favor of ASPEN MORTGAGE GROUP. As Lender and **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC** as beneficiary, dated as of September 5, 2006, and recorded September 11, 2006, in the Records of Klamath County, Oregon, Instrument No. 2006-018252, covering the following described real property situated in the above-mentioned county and state, to wit:

APN: R884461

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:

1. The monthly payment of 1061.87 beginning on 03/01/2010, and monthly late charge in the amount of 53.09 to-date.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said deed of trust immediately due and payable, said sums being the following

1. Principal balance of \$160,981.07 and accruing interest as of 02/01/2010 per annum from 02/01/2010 until paid.
2. 53.09 In late charges.
3. Together with title expenses, costs, trustee's fees and attorney fees incurred here in 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 there in.

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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: failed to pay payments which became due;

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 **January 26, 2011**, at the following place: **on the front steps of the Circuit Court, 316 Main Street., in the City of Klamath Falls, County of Klamath, Oregon.**

FOR SALE INFORMATION CALL: **714-730-2727**

Website for Trustee's Sale Information: **www.lpsasap.com**

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: **NONE**

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), together with costs, trustee's and attorney's fees, 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, at any time prior to five days before the date last set for sale.

In construing this notice, the singular gender 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 Deed of Trust, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

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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 September 15, 2010

LSI Title Company of Oregon, as Successor Trustee

G. Sheppard

By *G. Sheppard*, Authorized Signor

C/O MTC FINANCIAL Inc., dba Trustee Corps
17100 Gillette Ave
Irvine, CA 92614
949-252-8300

State of California }ss.
County of Orange }ss

On 9/16/10, before me, **Enedina O. Sanchez**, a Notary Public, personally appeared *G. Sheppard* 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.

Enedina O. Sanchez

My Commission Expires : Apr. 21, 2012.

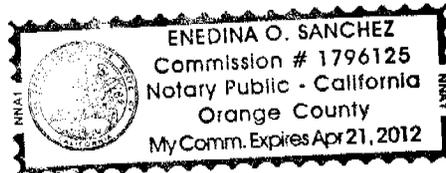


EXHIBIT "A"
LEGAL DESCRIPTION

That part of the SW1/4 of the SE1/4 of Section 33, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying South of the Little Deschutes River, in Klamath County, Oregon.

Tax Account No: 2309-00000-03300-000
Tax Account No: 2309-00000-03300-000

Key No: 884461
Key No: 127375