

WTC 88491

2010-011523

Klamath County, Oregon

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from: Surinder Singh and Sarita Kumari, Grantor

To: Fidelity National Title Insurance Company,
Successor Trustee

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

Fidelity National Title Insurance Company
135 Main St. Ste.1900
San Francisco , CA 94105



00090933201000115230030033

09/29/2010 11:32:18 AM

Fee: \$47.00

TS No: 10-01403-4 OR - Loan No: 378750327-9001/Singh

Reference is made to that certain Deed of Trust made by Surinder Singh and Sarita Kumari, as grantor, to AMERITITLE, as trustee, in favor of Sterling Savings Bank, as beneficiary, dated as of January 19, 2006, and recorded January 31, 2006, in the Records of Klamath County, Oregon, Instrument No. M06-01953, covering the following described real property situated in the above-mentioned county and state, to wit:

APN: R3809-032CA-01600-000; R-3809-032CA-01700-000

PARCEL 1:

Lots 1, 2, 3, 4, 5 and 6 in Block 25 of ORIGINAL TOWN OF KLAMATH FALLS, (formerly Linkville), Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Also that part of vacated Maple Alley adjoining Lot 6 in Block 25 of said Original Town of Klamath Falls (formerly Linkville), Oregon, and all that portion of Lot 1 of Block 26, said Original Town of Klamath Falls, (formerly Linkville), lying Easterly of Conger Avenue.

Excepting from the above described property that portion thereof conveyed by Edward A. Dunham, et ux, to the City of Klamath Falls, Oregon, by deed recorded on page 107 of Volume 123 of Deeds, Records of Klamath County, Oregon.

Lot 7, in Block 25 of ORIGINAL TOWN OF KLAMATH FALLS, (formerly Linkville), and that portion of vacated Maple Alley adjacent to said Lot 7 on the West and that portion of Lot 4, Block 26, Original Town of Linkville (now Klamath Falls) lying between said portion of vacated Maple Alley and the Easterly line of Conger Street, according to the duly recorded plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SAVING AND EXCEPTING from the above described property all that portion thereof conveyed to the State of Oregon By Deed recorded on page 193 of Volume 283 of Deeds, Records of Klamath County, Oregon.

Tax Account No: R3809-032CA-01600-000 Key No: 611190

PARCEL 2:

Lots 8 and 9 in Block 25 of ORIGINAL TOWN OF KLAMATH FALLS (formerly Linkville), according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING that part in Deed Book 283, page 193, Deed Records of Klamath County, Oregon.
ALSO all that portion of South one-half of vacated Pine Street adjoining the above described property.

Tax Account No: R3809-032CA-01700-000 Key No: 611207

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:

ATAMT 1 of 3

failed to pay interest and default rate interest which became due in the amount of \$31538.18, together with late charges due in the amount of \$2,699.56, together with estimated trustee's fees and expenses in the amount of \$6,631.65;

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: The sum of \$712,306.73 together with interest thereon at the rate of 13.12000% per annum from May 10, 2010 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

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 **February 2, 2011**, at the following place: **at the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR**

FOR SALE INFORMATION CALL: **714-573-1965**

Website for Trustee's Sale Information: www.priorityposting.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.

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.

FOR FURTHER INFORMATION CONTACT:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
135 Main St. Ste.1900
San Francisco, CA 94105
415-247-2450

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

Fidelity National Title Insurance Company, Successor Trustee



Julie B. Wagner, Authorized Signor

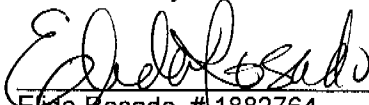
attached to notice of default dated 9/15/10

State of California }ss.
County of San Francisco }ss

On September 15, 2010, before me, Elida Rosado, a Notary Public, personally appeared Julie Wagner, 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.

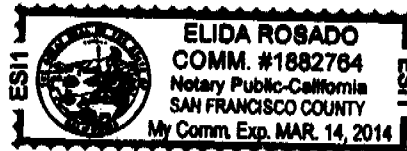
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Elida Rosado #1882764

My Commission Expires March 14, 2014



(Seal)