

2011-004156

Klamath County, Oregon



00099660201100041560060060

03/29/2011 03:15:58 PM

Fee: \$62.00

RECORDING REQUESTED BY

T.D. SERVICE COMPANY

and when recorded mail to

T.D. SERVICE COMPANY  
1820 E. FIRST ST., SUITE 210  
P.O. BOX 11988  
SANTA ANA, CA 92711-1988

1695771 Space above this line for recorder's use \_\_\_\_\_

## OREGON NOTICE OF DEFAULT AND ELECTION TO SELL



T.S. No: D525062 OR Unit Code: D Loan No: 378686882-9002/ALLEN  
Title #: 5239693

Reference is made to that certain Trust Deed made by DANNY R ALLEN, CYNTHIA ALLEN as Grantor, to BRAD WILLIAMS C/O UPF INCORPORATED, A WASHINGTON CORPORATION as Trustee, in favor of STERLING SAVINGS BANK as Beneficiary.

Dated July 18, 2007, Recorded July 20, 2007 as Instr. No. 2007-012906 in Book --- Page --- of Official Records in the office of the Recorder of KLAMATH County; OREGON AND SAID DEED OF TRUST CONTAINS A SECURITY AGREEMENT OF EVEN DATE

covering the following described property situated in said county and state to wit:  
SEE ATTACHED EXHIBIT A.

The street or other common designation if any, of the real property described above is purported to be:  
22300 & 22310 HIGHWAY 140, DAIRY, OR 97625

The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

At the same time as the Trustee's sale the Lender/Trustee will sell at public sale the personal property described on the attached EXHIBIT B.

The undersigned CHRISTOPHER C. DORR, LLC, OSBA # 992526 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 mortgage records of the county or counties in which the above described real property is situated. Further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said 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 the Grantor or other person 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 provisions. The default for which foreclosure is made is Grantor's failure to pay when due the following sums:

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5 PYMTS FROM 11/15/10 TO 03/15/11 @ 1,260.40	\$6,302.00
4 L/C FROM 11/26/10 TO 02/26/11 @ 63.02	\$252.08
Sub-Total of Amounts in Arrears:	\$6,554.08

Together with any default in the payment of recurring obligations as they become due.

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: Principal \$137,595.37 together with interest as provided in the note or other instrument secured from 10/15/10, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Section 86.705 to 86.795 and to cause to be sold at public auction to the highest bidder for cash the interest in the said described property which the Grantor had, or had the power to convey, at the time of the execution by Grantor of the Trust Deed, together with any interest the Grantor or his successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said 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.

Said sale will be held at the hour of 10:00 A.M. in accord with the standard of time established by O.R.S.187.110 on August 1, 2011 at the following place:  
INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH FALLS , County of KLAMATH, State of Oregon.

Other than as shown of record, neither the said beneficiary or the said 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 the 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

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Notice is further given that any person named in O.R.S. 86.753 has the right, at any time prior to five days before the trustee conducts 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 of Trust Deed, and in addition to paying said sums or tendering the performance necessary to cure 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 O.R.S. 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, 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 Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

We are assisting the Beneficiary to collect a debt and any information we obtain will be used for that purpose whether received orally or in writing.

DATED: MARCH 25, 2011

CHRISTOPHER C. DORR, LLC, OSBA # 992526

By 

CHRISTOPHER C. DORR, ATTORNEY AT LAW

**DIRECT INQUIRIES TO:**  
T.D. SERVICE COMPANY  
FORECLOSURE DEPARTMENT  
1820 E. FIRST ST., SUITE 210  
P.O. BOX 11988  
SANTA ANA, CA 92711-1988  
(800) 843-0260

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STATE OF OREGON  
COUNTY OF MULTNOMAH

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SS

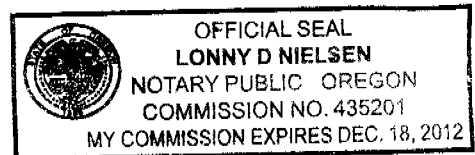
On 3/25/11 before me, Lonny D Nielsen, a Notary Public in  
and for said County and State, personally appeared

Christopher E. Davis, 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 OREGON that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



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Exhibit A

PARCEL 1:

A parcel of land situated in the NE 1/4 NW 1/4 of Section 34, Township 38 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of the NE 1/4 NW 1/4 of said Section 34; thence North 89° 41' West a distance of 872 feet; thence North a distance of 30 feet to an iron pin on the North line of the Dairy-Bonanza Highway, said point being 30 feet North of the Southwest corner of that tract of land described in Book 170 at Page 175, Deed Records of Klamath County, Oregon; thence North 89° 41' West along the North line of said highway a distance of 53.05 feet to a one-half inch iron pin on the true point of beginning of this description; thence North 03° 14' East a distance of 105.31 feet to a one-half inch iron pin; thence South 47° 54' West a distance of 26.86 feet to a one-half inch iron pin on the interior corner of that tract of land described in Book 333 at Page 607, Deed Records of Klamath County, Oregon; thence South 66° 28' West to the Easterly line of the Dairy-Bonanza Highway; thence Southerly and Easterly following the Easterly and Northerly line of said highway to the true point of beginning of this description.

PARCEL 2:

A tract of land situated in the NE 1/4 NW 1/4 of Section 34, Township 38 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point that is North 89° 41' West a distance of 872 feet and North a distance of 30 feet from the Southeast corner of the NE 1/4 NW 1/4 of said Section 34; thence North a distance of 148.0 feet to an iron pin in the centerline of the Horsefly Irrigation Ditch; thence North 9° 12' West 54.96 feet to an iron pin on the Southerly line of the Klamath Falls-Lakeview Highway; thence South 61° 23' West along the Southerly line of said highway a distance of 97.68 feet to the true point of beginning; thence South 22° 02' East a distance of 72.28 feet to an iron pin; thence South 66° 28' West to the Easterly line of the Dairy-Bonanza Highway; thence Northerly and Easterly following the Southerly line of the Dairy-Bonanza Highway and the Klamath Falls-Lakeview Highway to the point of beginning.

PARCEL 3:

A parcel of land situated in the NE 1/4 NW 1/4 of Section 34, Township 38 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of the NE 1/4 NW 1/4 of said Section 34; thence North 89° 41' West a distance of 873 feet; thence North a distance of 30 feet to an iron pin on the North line of the Dairy-Bonanza Highway, said point being 30 feet North of the Southwest corner of that tract of land described in Book 170 at Page 175, Deed Records of Klamath County, Oregon; thence North 89° 41' West along the North line of said highway a distance of 53.05 feet to a 1/2 inch iron pin; thence North 03° 14' East a distance of 105.31 feet to a 1/2 inch iron pin on the true point of beginning of this description; thence North 47° 54' East a distance of 63.49 feet to a 1/2 inch iron pin in the centerline of the Horsefly Irrigation Ditch, said point being in the Easterly line of that land described in Book 333 at Page 607, Deed Records of Klamath County, Oregon; thence North 09° 12' West a distance of 54.96 feet to an iron pin on the Southerly line of the Klamath Falls-Lakeview Highway; thence Southwesterly along the Southerly line of said highway to an iron pin that bears South 61° 23' West a distance of 97.68 feet from the last mentioned point; thence South 22° 02' East a distance of 72.28 feet to an iron pin (this distance is 72.78 feet by the description in said deed recorded); thence North 47° 54' East a distance of 26.86 feet to the true point of beginning of this description.

EXCEPTING THEREFROM any portion of the above described property lying within the highways right of ways.

CODE 037 MAP 3811-V34B0 TL 00900 KEY #485077  
CODE 037 MAP 3811-V34B0 TL 01000 KEY #485068  
CODE 037 MAP 3811-V34B0 TL 01100 KEY #485086

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Exhibit "B"

Personal Property

All equipment , fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the real property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the property of the property.

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