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04/25/2011 09:32:35 AM

Fee: \$47.00

## NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from Florinda R. Mose,

To AmeriTitle, an Oregon Corporation, as trustee

For the benefit of Kevin Osborne and  
Jenni Osborne, Husband and Wife, Beneficiary

## AFTER RECORDING RETURN TO:

Scott D. MacArthur, Successor Trustee

635 Main Street

Klamath Falls, OR 97601

## NOTICE OF DEFAULT AND ELECTION TO SELL

KNOW ALL MEN BY THESE PRESENTS, that FLORINDA R. MOSES, is the grantor, and AMERITITLE, an Oregon Corporation is the trustee, and Kevin Osborne and Jenni Osborne, Husband and Wife is the beneficiary under that certain trust deed dated December 23, 2005, and recorded on January 4, 2006, in book/reel/volume No. M06 at page 00206 of the Mortgage Records of Klamath County, Oregon.

Lot 3 in Block 21 of TRACT 1127- NINTH ADDITION TO SUNSET VILLAGE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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 mortgage records of the county or counties in which the above described real property is situate; 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.

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 provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

Payment of real property taxes for the tax year 2010-2011 in the amount of \$356.10, plus interest.

Payment in full due December 30, 2010 in the sum of \$39,112.11, plus interest.

Allowing the property to become subject to a lien in favor of Countrywide Home Loans in the amount of \$323,000.00, plus interest on May 29, 2007.

Allowing the property to become subject to a lien in favor of Mortgage Electronic Registration Systems, Inc., in the amount of \$50,000.00, plus interest on May 29, 2007.

Allowing the property to become subject to a judgment lien in favor of Credit Bureau of Klamath County in Klamath County Case 1003079-CV, in the amount of \$2,304.83, plus interest.

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: \$39,112.11 as of September 2, 2010, plus interest.

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 Sections 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for case the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him 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 compensation of the trustee as provided by law, and the reasonable fees of trustee's attorney.

Said sale will be held at the hour of 11:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on September 2, 2011, at the following place: 635 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee of said sale.

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
Florinda R. Moses 7012 Gardena Place Klamath Falls, OR 97603	Default upon Trust Deed
Florinda R. Moses 4027 Monrovia Way Klamath Falls, OR 97603	Default upon Trust Deed
Countrywide Home Loans, Inc. 1800 Tapo Canyon Rd. Simi Valley, CA 93063	Deed of Trust dated May 17, 2007 Recorded May 29, 2007, Klamath County Deed Records 2007-009591
Countrywide Home Loans, Inc. 4500 Park Granada, MSN # SVB-314 Calabasas, CA 91302-1613	Deed of Trust dated May 17, 2007 Recorded May 29, 2007, Klamath County Deed Records 2007-009591
Mortgage Electronic Registration Systems P.O. Box 2026 Flint, MI 48501-2026	Line of Credit, Deed of Trust dated May 17, 2007, Recorded May 29, 2007, Klamath County Deed Records 2007-009592

OCWEN, Loan Servicing, Inc.  
1800 Tapo Canyon Rd.  
Simi Valley, CA 93063

Assignment of Deed of Trust dated June 18,  
2009, Recorded July 6, 2009, Klamath County  
Deed Records 2009-009186

Shapiro & Sutherland, LLC  
5501 N.E. 109<sup>th</sup> Court, Suite N  
Vancouver, WA 98662

Of Attorneys for OCWEN, Loan Servicing  
Inc., Foreclosure Pending. Recorded January 12,  
2011, Klamath County Deed Records 2011-  
000790

Credit Bureau of Klamath County  
839 Main Street  
Klamath Falls, OR 97601

Judgment dated October 7, 2010  
Klamath County Case No. 1003079-CV


Target National Bank  
3701 Wayzata Blvd.  
Minneapolis, MN 55416

Judgment dated February 15, 2011  
Klamath County Case No. 1004929-CV

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes 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 or trust deed, and 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 said Section 86.753 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, 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.

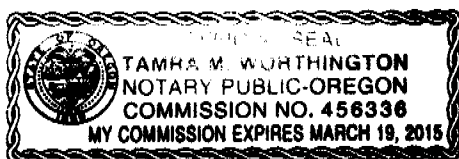
DATED: April 25, 2011.


  
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Scott D. MacArthur  
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of April, 2011,  
by Scott D. MacArthur.

(SEAL)



Before me:   
Notary Public for Oregon  
My Commissioner Expires: March 19 2015