

2011-005444

Klamath County, Oregon



00101205201100054440040042

05/03/2011 11:22:08 AM

Fee: \$52.00

After recording return to:  
Attn: Foreclosure Department  
RECONTRUST COMPANY, N.A.  
400 National way  
SIMI VALLEY, CA 93065

**NOTICE OF DEFAULT AND ELECTION TO SELL**

Reference is made to that certain Trust Deed made by NATHAN B MARKEE, A SINGLE MAN, as grantors, to FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON., as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, dated 07/07/2005, recorded 07/13/2005, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume Number M05 at Page Number 53535 as Recorder's fee/file/instrument/microfilm/reception Number -, covering the following described real property situated in said county and state, to wit:

SEE ATTACHED FOR LEGAL DESCRIPTION

PROPERTY ADDRESS: 9669 HILL ROAD  
KLAMATH FALLS, OR 97603

There is default by the grantor or other person, or by their successor in interest, 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 grantors' failure to pay when due the following sums: monthly payments of \$1,887.58 beginning 02/01/2009; plus late charges of \$ 83.56 each month beginning 02/01/2009 payment plus prior accrued late charges of \$-271.74; plus advances of \$180.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein 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 therein.

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: \$206,615.13 with interest thereon at the rate of 8.75 percent per annum beginning 01/01/2009 plus late charges of \$ 83.56 each month beginning 02/01/2009 until paid; plus prior accrued late charges of \$-271.74; plus advances of \$180.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein 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 therein.

**NOTICE OF DEFAULT AND ELECTION TO SELL**

**RE: Trust Deed from**  
**NATHAN B MARKEE,**  
**Grantor**

**To**  
**RECONTRUST COMPANY, N.A.,**  
**Trustee TS No. 09 -0084901**

**For Additional Information:**

**Please Contact**  
**Foreclosure Department**  
**RECONTRUST COMPANY, N.A.**  
**RECONTRUST COMPANY, N.A.**  
**1800 Tapo Canyon Rd., CA6-914-01-94**  
**SIMI VALLEY, CA 93063**  
**(800)-281-8219**

Notice is hereby given that the Beneficiary and Trustee, by reason of said 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 the grantor had, or had the power to convey, at the time the grantor executed the Trust Deed, together with any interest the grantor or grantor's successors 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 reasonable fees of Trustee's attorneys.

529h

The sale will be held at the hour of 10:00 AM , in accordance with the standard of time established by ORS 187.110 on Friday, September 09, 2011, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main St., Klamath Falls, Klamath County, OR, which is the hour, date and place last set for the sale.

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) and by curing every other default complained of herein by tendering the performance required under the obligation or Trust Deed, 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 ORS 86.753.

In constructing this notice, 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.

RECONTRUST COMPANY, N.A.

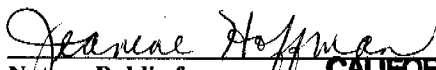
  
Karla Merida, Authorized Signer

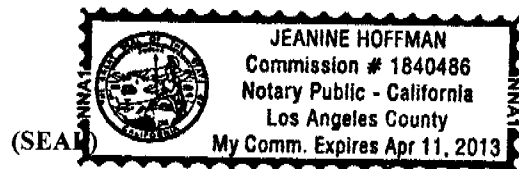
APR 29 2011

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF VENTURA )

On APR 29 2011, before me, JEANINE HOFFMAN, notary public, personally appeared Karla Merida, personally known to me (or 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.

WITNESS my hand and official seal.

  
Notary Public for CALIFORNIA  
My commission expires: APR 11 2013  
**JEANINE HOFFMAN**



**THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.**

APN: 603154

Special Power of Attorney  
- continuedFile No.: 7034-552774 (PE)  
Date: June 01, 2005**EXHIBIT A****LEGAL DESCRIPTION:****PARCEL 1**

A parcel of land situated in the NE1/4 of Section 31, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of the NE1/4 from which the Northeast corner of said Section 31 bears North 00°19'00" West 1097.67 feet; thence South 76°53'58" West 108.48 feet to the center of the casing of a well; thence continuing South 76°53'58" West 49.22 feet to a point on the East line of that certain county road known as Hill Road; thence Southeasterly on arc of a 3849.72 foot radius curve to the right (Delta=06°45'50", Long Chord=South 11°41'26" East 454.20) 454.47 feet; thence continuing along said East line of "Hill Road" South 08°18'31" East 355.39 feet; thence continuing along said East line of Hill Road on the arc of a 3789.72 foot radius curve to the left (Delta=01°28'33", Long Chord=South 09°02'48" East 97.61 feet) 97.62 feet to a point on the East line of said NE1/4, thence North 00°19'00" West on said East line 928.59 feet to the point of beginning.

LESS AND EXCEPTING a parcel of land being a portion of the property described in Volume M04 Page 35361, as situated in the NE1/4 of Section 31 Township 39 South, Range 10 East of the Willamette Meridian, being more particularly described as follows:

Beginning at a point on the east line of said Section 31 which bears S00° 19' 00" East a distance of 173.63 feet from the N1/16 corner of said Section 31, said point being the true point of beginning; thence continuing S00° 19' 00" East a distance of 518.30 feet to a point on the East right of way line of Hill Road; thence along the East right of way line of Hill Road 97.62 feet along the arc of a 3789.72 foot radius curve to the right, the long chord which bears N09° 02' 48" West a distance of 97.61 feet and having a delta angle of 1° 28' 33"; thence continuing along the east right of way line of Hill Road N08° 18' 31" West a distance of 355.35 feet; thence continuing along the east right of way line of Hill Road 13.08 feet along the arc of a 3849.72 foot radius curve to the left, the long chord of which bears N08°24'21" West a distance of 13.08 and having a delta angle of 0° 11' 41"; thence leaving said east right of way line of Hill Road N48° 54' 19" East a distance of 87.24 feet, more or less to the true point of beginning, containing 0.40 acres, more or less, bearings being based on County Survey 2876.

**PARCEL 2**

A tract of land situated in the NW1/4 NW1/4 of Section 32, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon more particularly described as follows:

Beginning at the Southwest corner of the NW1/4 NW1/4; thence North 00°19'00" West on the West line of said NW1/4 NW1/4, 522.70 feet; thence North 81°35'00" East 202.01 feet; thence South 00°19'00" East 552.29 feet to a point on the South line of said NW1/4 NW1/4; thence North 89°59'37" West along said South line 200.00 feet to the point of beginning.

**53549**

APN: 603154

Special Power of Attorney  
• continued

File No.: 7034-552774 (PE)  
Date: June 01, 2005

TOGETHER WITH a parcel of land being a portion of the property described in Volume M01 Page 10209, Klamath County deed records as situated in the S1/2 NW1/4 of Section 32, Township 39 South, Range 10 East of the Willamette Meridian, being more particularly described as follows:

Beginning at the N1/16 corner common to said Section 32 and Section 31, Township 39 South, Range 10 East of the Willamette Meridian; thence S89° 59' 37" East a distance of 200.00 feet; thence S48° 54' 19" West a distance of 264.11 feet to the west line of said Section 32, thence N00° 19' 00" West along said section line a distance of 173.63 feet, more or less to the point of beginning, containing 0.40 acres, more or less, bearings being based on County Survey 2876.