

2011-007579

Klamath County, Oregon



00103771201100075790030036

06/23/2011 11:26:54 AM

Fee: \$47.00

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 L. FRANK GOODSON AND LILLIE L. GOODSON, AS TENANTS BY THE ENTIRETY., as grantors, to AMERITITLE, as Trustee, in favor of BANK OF AMERICA, N.A., as Beneficiary, dated 09/29/2006, recorded 09/29/2006, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number 2006-019707, covering the following described real property situated in said county and state, to wit:

SEE ATTACHED LEGAL DESCRIPTION

PROPERTY ADDRESS: 50205 HIGHWAY 62
CHILOQUIN, OR 97624

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 \$4,078.59 beginning 01/01/2011; plus late charges of \$179.38 each month beginning 01/01/2011 payment plus prior accrued late charges of \$-538.14; plus advances of \$0.00; 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: \$353,493.13 with interest thereon at the rate of 6.375 percent per annum beginning 12/01/2010 plus late charges of \$179.38 each month beginning 01/01/2011 until paid; plus prior accrued late charges of \$-538.14; plus advances of \$0.00; 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

**L. FRANK GOODSON and LILLIE L. GOODSON,
Grantor**

To

RECONTRUST COMPANY, N.A.,

Trustee

TS No. 11 -0048958

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.

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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 Thursday, October 27, 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.

Maria Pilar Villavicencio JUN 14 2011

MARIA PILAR VILLAVICENCIO, Authorized Signer

STATE OF CALIFORNIA)
) ss.
COUNTY OF VENTURA)

On JUN 17 2011, before me, JEANINE HOFFMAN, notary public, personally appeared Maria Pilar Villavicencio, ~~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.

Jeanine Hoffman
Notary Public for CALIFORNIA
My commission expires: APR 11 2013

(SEAL)



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.

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

A tract of land in the NW1/4 of the SW1/4 of Section 26, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point on the Easterly boundary of the right of way of The Dalles-California Highway, according to the survey and establishment of said highway as made in 1932, said right of way being 100 feet in width, said point being located 50 feet Easterly and opposite to Engineer's Survey Station 1880 + 11.3, said point being further located South 53° 38' East a distance of 1108.5 feet from the West quarter corner of said Section 26, said point being further located a distance of 52 feet Southerly from the South water line of the Fort Creek Irrigation Canal and said point being further located at the intersection of the Easterly line of the said Dalles-California Highway right of way with the Southerly line of the proposed right of way of the rock quarry hauling road provided through said legal subdivision for the purposes of construction of surfacing for said highway; thence South 19° 43' East for 200 feet along the said Easterly boundary of The Dalles-California Highway right of way; thence North 70° 17' East for 200 feet at right angles to the last described course; thence North 19° 43' West for 247.6 feet to a point on the Southerly boundary of the right of way of the aforesaid rock quarry hauling road; thence South 56° 54' West for 205.6 feet along said rock quarry hauling road boundary to the point of beginning.

EXCEPT THEREFROM that portion lying Westerly of a line parallel with and 80 feet Easterly of the center line of the Crater Lake Highway.

PARCEL 2

A tract of land being a portion of Parcel 2 of "Minor Land Partition 39-90", Situated in the NW1/4 SW1/4 of Section 26, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Parcel 2, said point being on the Northeasterly right of way line of State Highway 62, from which the West 1/4 corner of said Section 26 bears North 51° 51' 28" West 1196.49 feet; thence North 19° 26' 26" West, along said line 207.0 feet to the center of Fort Creek; thence, along the center of Fort Creek, North 57° 47' East 37.0 feet, North 37° 05' East 19.0 feet and North 45° 40' East 35.0 feet; thence, leaving the center of Fort Creek, South 50° 33' East 225.1 feet, more or less, to a point on the South line of said Parcel 2; thence South 57° 10' 20" West 205.59 feet to the point of beginning, with bearings based on record of survey 5389 on file at the office of the Klamath County Surveyor, being property line adjustment 47-99.

Tax Account No.: 3307-V2600-00900-000

Key No.: 76312