

WTC 91090

Jeffrey Foxx  
P.O. Box 4218

Medford, OR 97501-0158

2011-009793

Klamath County, Oregon



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08/26/2011 03:20:13 PM

Fee: \$37.00

TRUSTEE'S NOTICE OF DEFAULT/ ELECTION TO SELL

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy obligations secured thereby. Pursuant to ORS 86.735, 740, and 745, the following information is provided:

1. PARTIES: Grantor: Donald E. Riesch and Margaret N. Riesch. Original Trustee: Aspen Title & Escrow, Inc., an Oregon corporation. Successor Trustee: Jeffrey W. Foxx, attorney. Beneficiary: Becky F. Pratt, Trustee of the Becky F. Pratt Revocable Living Trust.

2. LEGAL DESCRIPTION:

All of the SE ¼ of the SE ¼ of Section 14, Township 38 South, Range 11 ½ East of the Willamette Meridian, Klamath County, Oregon, lying Southeast of the Lakeview Highway.

ALSO all of the NE ¼ of the NE ¼ of Section 23, Township 38 South, Range 11 ½ East of the Willamette Meridian, Klamath County, Oregon, lying Southeast of the Lakeview Highway.

[otherwise commonly known as: 4900 Bliss Road, Bonanza, Klamath County, OR]

3. RECORDING: The Trust Deed was recorded April 8, 2008, as Instrument #2008-005146, Klamath County, Oregon, Deed Records.

4. DEFAULT: Grantor is in default on the Trust Deed and Promissory Note secured thereby and Beneficiary seeks to foreclose the Trust Deed for failure to pay or perform each of the following: failure to pay monthly payments which came due 10/8/10, and thereafter; failure to make the balance of \$158.10 of the payment that came due 9/8/10; failure to pay late fees, failure to pay taxes; attorney fees and costs incurred in enforcement of the note and trust deed.

5. AMOUNT DUE: The remaining unpaid principal balance on the Note secured by the Trust Deed referred to herein is \$55,000.00, with interest thereon of 11.5% per annum from October 8, 2010, until paid, plus an additional \$158.10 in unpaid interest accrued prior to October 8, 2010; past due and owing are each of the following: monthly note payments of \$535.08 each, which came due 10/8/10, and on the 8th of each month thereafter, until sale or cure, plus an additional \$158.10 of the payment that came due September 8, 2010, failure to pay late fees of \$26.35 per month for each payment more than 10 days late from October, 2010, through August, 2011, and thereafter, until sale or cure, failure to pay real property taxes in an amount not less than \$1,194.43, plus interest and penalties, trustee's fees, attorney fees, costs of foreclosure, and any sums advanced by the beneficiary pursuant to the terms of the Note and/or Trust Deed.

6. ELECTION TO SELL: The Beneficiary and Trustee hereby elect to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell has been recorded in the Deed Records of Deschutes County, Oregon.

7. TIME OF SALE: Date: January 23, 2012. Time: 10:00 a.m. Place: Front steps, Klamath County Courthouse, 316 Main Street, Klamath Falls, Klamath County, Oregon.

8. RIGHT TO REINSTATE: Those identified in ORS 86.753 have the right at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default complained of in this notice, and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount(s) provided by law.

Questions may be directed to Jeffrey W. Foxx, Attorney at Law, P.O. Box #4218, Medford, OR 97501-0158; (541) 773-2008.

DATED: August 24<sup>th</sup>, 2011.

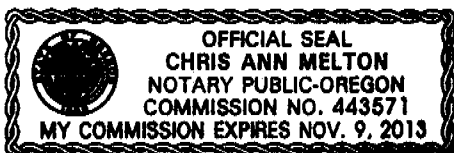
Jeffrey W. Foxx, Successor Trustee

I, Becky F. Pratt, Trustee of the Trust beneficiary of the Trust Deed referenced herein above, say that the statements in this document are true to the best of my knowledge.

*Becky F. Pratt, trustee*  
Becky F. Pratt, Trustee

STATE OF OREGON ) ss.  
County of Jackson )

Jeffrey W. Foxx, as Successor Trustee, being first duly sworn, signed the herein document on this 24<sup>th</sup> day of August, 2011, declaring it to be in his representative capacity as a voluntary act.



Notary Public for Oregon

My Commission Expires: 11-9-2013

37.00