

2011-011013

Klamath County, Oregon



00108109201100110130030032

10/03/2011 03:20:00 PM

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 MICHAEL D. RYSER AND CATHERINE C. RYSER, as grantors, to PATRIOT TITLE, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, dated 02/20/2008, recorded 04/15/2008, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number 2008-005471, and subsequently assigned to BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP by Assignment recorded 12/03/2010 in Book/Reel/Volume Number at Page Number as Recorder's fee/file/instrument/microfilm/reception Number 2010-13832, covering the following described real property situated in said county and state, to wit:

SEE ATTACHED LEGAL DESCRIPTION

PROPERTY ADDRESS: 2447 UNITY STREET  
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 \$997.17 beginning 08/01/2010; plus late charges of \$ 39.89 each month beginning 08/01/2010 payment plus prior accrued late charges of \$- 79.78; 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: \$146,968.15 with interest thereon at the rate of 5.25 percent per annum beginning 07/01/2010 plus late charges of \$ 39.89 each month beginning 08/01/2010 until paid; plus prior accrued late charges of \$- 79.78; 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**  
**MICHAEL D. RYSER and CATHERINE C. RYSER,**  
**Grantor**  
**To**  
**RECONTRUST COMPANY, N.A.,**  
**Trustee TS No. 10 -0153028**

**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

47Amc

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.

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 Wednesday, February 08, 2012, 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.

SEP 28 2011

*Maria Pilar Villavicencio*

MARIA PILAR VILLAVICENCIO, Authorized Signer

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF VENTURA

On SEP 28 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  
JEANINE HOFFMAN

(SEAL)

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.



ALTA Commitment ORDER NO: 5268333  
ASP

LENDER REF: 17-260139

LEGAL DESCRIPTION

The land referred to in this policy is situated in the STATE OF OREGON, COUNTY OF KLAMATH, CITY OF KLAMATH FALLS, and described as follows:

BEGINNING AT POINT WHICH IS 662 FEET WESTERLY ON THE NORTHERLY RIGHT OF WAY LINE OF THE DALLES-CALIFORNIA HIGHWAY, FROM THE SOUTHEAST CORNER OF THE SW 1/4 SE1/4 OF SECTION 1, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, AND THENCE NORTH A DISTANCE OF 1241.46 FEET AND WEST A DISTANCE OF 203.4 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH A DISTANCE OF 139.3 FEET; THENCE WEST A DISTANCE OF 100 FEET; THENCE SOUTH A DISTANCE OF 139.3 FEET; THENCE EAST A DISTANCE OF 100 FEET TO THE PLACE OF BEGINNING, SITUATED IN THE NW 1/4 SE1/4 OF SECTION 1, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

ALSO A TRACT OF LAND SITUATED IN THE NW1/4 SE1/4 OF SECTION 1, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED AS PARCEL 2 IN DEED VOLUME M84, PAGE 20,944 MICROFILM RECORDS OF KLAMATH COUNTY, OREGON, FROM WHICH THE CENTER 1/4 CORNER OF SAID SECTION 1 BEARS NORTH 34° 14' 27" WEST 1065.58 FEET; THENCE SOUTH 00° 00' 23" EAST, ALONG THE EAST LINE OF SAID DEED VOLUME, 18.89 FEET; THENCE SOUTH 84° 47' 46" WEST 76.72 FEET; THENCE NORTH 00° 00' 23" WEST 25.85 FEET TO A POINT ON THE NORTH LINE OF SAID DEED VOLUME, THENCE EAST 76.40 FEET TO THE POINT OF BEGINNING.

APN:R/510227

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