

1st 1779593

2011-011939

Klamath County, Oregon



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10/25/2011 03:12:38 PM

Fee: \$47.00

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Ricky L. Hollenbeak as grantor, to First American Title Insurance Company of Oregon, as trustee, in favor of California Union Properties, LLC, a California Limited Liability Company, as beneficiary, dated 8/11/2010, recorded 8/16/2010, in mortgage records of Klamath, Oregon, as 2010-009682, covering the following described real property situated in the above-mentioned county and state, to wit:

A parcel of land located in Block 3 of Hessig Addition to Fort Klamath, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Easterly right of way line of Hessig Street 165.34 feet South 00°01'23" West from the original Northwest corner of Block 3, Hessig Addition to Fort Klamath; running thence East 143.50 feet; thence South 00°01'23" West 50.00 feet; thence East 78.50 feet; thence South 00°01'23" West 30.00 feet to the centerline of vacated 5th Street; thence along said centerline, West 222.00 feet to the Easterly right of way of Hessig Street, thence along said right of way line; North 00°01'23" East 80.00 feet to the point of beginning.

PROPERTY ADDRESS: 52401 Hessig St., Fort Klamath, OR 97624

There is a default by the grantor or other person owing an obligation or by their successor in interest, 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 \$367.00 beginning 6/16/2011; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$49,514.36 with interest thereon at the rate of 8 percent per annum beginning 5/16/2011; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described property and its interest therein; and prepayment penalties/premiums, if applicable

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from
Ricky L. Hollenbeak
Grantor
to
Northwest Trustee Services, Inc.
Successor Trustee
TS No: OST1-066389
Loan No: HE5524
Title No: 6101240

For Additional Information:
After recording return to:

Northwest Trustee Services, Inc.
2600 Stanwell Drive, Suite 200
Concord, CA 94520
(925) 603-1000

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 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.

The Sale will be held at the hours of **11:00 AM**, in accordance with the standard of time established by ORS 187.110, on **3/15/2012**, at the following place: **On the front steps of the Circuit Court, 316 Main Street, Klamath Falls, OR**, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Notice is further given that reinstatement or payoff quotes requested pursuant to ORS 86.745 must be timely communicated in a written request that complies with that statute, addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.rsvpforeclosures.com.

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 said ORS 86.753. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

In construing 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

The trustee's rules of action may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status as www.rsvpforeclosures.com

Notice of default
Page 2 of 3

Amy Rigsby

By: Amy Rigsby, Assistant Vice President
Northwest Trustee Services, Inc., successor Trustee
2600 Stanwell Drive, Suite 200, Concord, CA 94520
Phone: (925) 603-1000

State of California } ss.
County of Contra Costa }

On 10/21/2011 before me Katie Milnes, a Notary Public personally appeared Amy Rigsby who 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 to the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature

Katie Milnes



THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

*Notice of default
Page 3 of 3*