

WTC 91922

2011-012291

Klamath County, Oregon

AFTER RECORDING RETURN TO:  
Hershner Hunter, LLP  
Attn: Lisa M. Summers  
P.O. Box 1475  
Eugene, OR 97440



11/02/2011 11:18:30 AM

Fee: \$47.00

TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL  
UNDER TERMS OF TRUST DEED

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 the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES:

Grantor:	MICHAEL CONNOLLY AND SARAH CONNOLLY
Trustee:	FIRST AMERICAN TITLE INSURANCE COMPANY
Successor Trustee:	NANCY K. CARY
Beneficiary:	OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT, STATE OF OREGON as assignee of UMPQUA BANK

2. DESCRIPTION OF PROPERTY: The real property is described as follows:

As described in the attached Exhibit A.

3. RECORDING. The Trust Deed was recorded as follows:

Date Recorded: May 31, 2002  
Recording: Vol. M02, Pg. 32115-32  
Official Records of Klamath County, Oregon

4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: A payment of \$857.13 for the month of May 2011; plus regular monthly payments of \$862.00 each, due the first of each month, for the months of June 2011 through October 2011; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$81,334.27; plus interest at the rate of 5.9500% per annum from April 1, 2011; plus late charges of \$173.18; plus advances and foreclosure attorney fees and costs.

6. SALE OF PROPERTY. The Trustee hereby states that the property will be sold to satisfy the obligations secured by the Trust Deed.

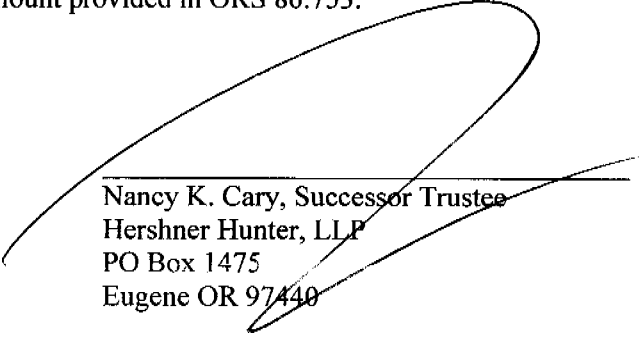
7. TIME OF SALE.

Date: March 29, 2012  
Time: 11:00 a.m.  
Place: Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon

47Amf


8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has 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 that is capable of being cured by tendering the performance required under the obligation or Trust Deed 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 provided in ORS 86.753.

DATED: October 31, 2011.

  
Nancy K. Cary, Successor Trustee  
Hershner Hunter, LLP  
PO Box 1475  
Eugene OR 97440

STATE OF OREGON            )  
                                      ) ss.  
COUNTY OF LANE         )

The foregoing instrument was acknowledged before me on October 31, 2011, by Nancy K. Cary.

  
Notary Public for Oregon  
My Commission Expires: 01/28/12

(TS #30057.30439)  
Telephone: (541) 686-0344

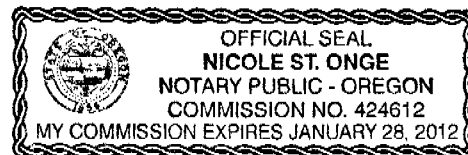


EXHIBIT A

Beginning at a point on the Section line between Sections 1 and 12 in Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, 511.50 feet West of the quarter section corner common to said Sections 1 and 12; thence West 16.44 feet; thence South 239 feet; thence West 270 feet; thence South to Lost River; thence Southeasterly down Lost River to a point 12 chains due South of the place of beginning; thence North to the place of beginning, being a portion of Lot 3 of Section 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; and

Beginning at a point 30 feet West of the quarter corner common to Sections 1 and 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence South 9.43 chains; thence West 4.74 chains; thence South 3.78 chains to the North bank of Lost River; thence Southwesterly upstream 2.64 chains; thence North 12.45 chains; thence East 7.37 chains to the place of beginning, save and excepting that parcel of land deeded by Jerry Ahern and wife, to The Roman Catholic Bishop of the Diocese of Baker City, a corporation sole of Oregon, recorded in Book 121, page 599, Deed Records of Klamath County, Oregon, as follows:

Beginning at a point 30 feet West and 30 feet South of the quarter corner common to Section 1 and 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence South 260.8 feet; thence West 208.7 feet; thence North 260.8 feet; thence East 208.7 feet to the point of beginning.

ALSO EXCEPTING any portion of the above described property contained in property conveyed by N. S. Merrill et ux to Tulelake Cemetery Association of Merrill by deed dated April 16, 1898, recorded January 26, 1900, on page 526 of Volume 12 of Deeds, as follows:

Beginning at a point 30 feet South and 30 feet West of the quarter section corner between Sections 1 and 12 in Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence South 597 feet; thence West in an angle of 90 degrees 348 feet; thence South in an angle of 90 degrees 185 feet to Lost River; thence following down the river to a point 999 feet South on legal subdivision line from the quarter section corner between Sections 1 and 12; thence North on legal subdivision line 669 feet; thence West 30 feet to the place of beginning, being a portion of Lot 3 in Section 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.