

2011-014374
Klamath County, Oregon



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12/30/2011 03:19:47 PM

Fee: \$42.00

NOTE 92467

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Ed A. Lowery and Joanne R. Lowery as tenants by the entirety, as grantors, to First American Title Company, as trustee, in favor of Financial Freedom Senior Funding Corporation, a subsidiary of IndyMac Bank, FSB, as beneficiary, dated 02/10/06, recorded 02/16/06, in the mortgage records of Klamath County, Oregon, as M06-03030, and subsequently assigned to OneWest Bank, FSB by Assignment, covering the following described real property situated in said county and state, to wit:

Lot 11 in Block 9 of Jack Pine Village, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

PROPERTY ADDRESS: 146912 Bills Road
Gilchrist, OR 97737

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 event of default under the note and deed of trust, pursuant to Section 9(a)(i) of the Deed of Trust, which provides that, "Lender may require immediate payment in full of all sums secured by this Security Instrument if... Borrower dies and the Property is not the principal residence of at least one surviving Borrower.", and pay, when due 6/6/2011 (Default Date), the unpaid principal balance of \$72,177.37 plus accrued interest, together with accruing interest, costs, advances, attorneys' and trustee's fees and costs accruing until the date of sale or full satisfaction of the obligation.

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: \$72,177.37 with interest thereon at the rate of 1.62 percent per annum beginning 05/06/11; 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 real property and its interest therein; and prepayment penalties/premiums, if applicable.

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from
Lowery, Joanne R and Ed A
Grantor
to
Northwest Trustee Services, Inc.,
Successor Trustee

File No. 7827.20322

For Additional Information:
After Recording return to:
Claire Swazey
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900

429me

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 hour of 10:00 o'clock A.M., in accord with the standard of time established by ORS 187.110 on **May 11, 2012**, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, 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 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.northwesttrustee.com.

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to the date last set for the sale, to have this foreclosure proceeding dismissed 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.

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 auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.

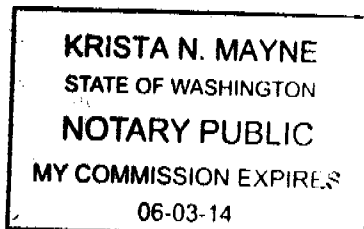


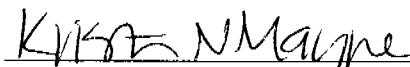
Northwest Trustee Services, Inc., Trustee
Northwest Trustee Services, Inc.

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Claire M. Swazey is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as an Assistant Vice President of Northwest Trustee Services, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 12/29/11




NOTARY PUBLIC in and for the State of
Washington, residing at Woodinville, WA
My commission expires 06/30/2014

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

RECEIVED
JAN 10 1964
U.S. AIR FORCE
HONOLULU, HAWAII