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2012-002184

Klamath County, Oregon



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02/29/2012 03:06:33 PM

Fee: \$57.00

**RECORDING COVER SHEET**

**ORS 205.234**

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any error in this cover sheet DOES NOT affect the transaction(s) contained in the instrument itself.

**1. AFTER RECORDING RETURN TO -**

Required by ORS 205.180(4) & 205.238:

**T.D. SERVICE COMPANY  
4000 W. Metropolitan Drive  
Suite 400  
Orange, CA 92868**

**2. TITLE(S) OF THE TRANSACTION(S) - Required by ORS 205.234(1)(a)**

Note: "Transaction" means any action required or permitted by law to be recorded, including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property. Enter descriptive title for the instrument:

**OREGON NOTICE OF DEFAULT AND ELECTION TO SELL**

**3. DIRECT PARTY / GRANTOR and Address - Required by ORS 234(1)(b)**

**Christopher C. Dorr, OSBA # 992526**

**Grantor's Address:  
16245 NW McNamee  
Portland, OR 97231**

**4. INDIRECT PARTY / GRANTEE and Address - Required by ORS 234(1)(b)**

**COLE B. TERRELL AND KATIE S. TERRELL**

**Grantee's Address:  
4306 BARRY AVE., KLAMATH FALLS OR 97603**

**5. For an instrument conveying or contracting to convey fee title, the information required by ORS 93.260:**

**UNTIL A CHANGE IS REQUESTED,  
ALL TAX STATEMENTS SHALL BE  
SENT TO THE FOLLOWING  
ADDRESS:  
No change**

**6. TRUE AND ACTUAL CONSIDERATION - Required by**

ORS 93.030 for an instrument conveying or contracting to convey fee title or any memorandum of such instrument:

**\$-0-**

**7. TAX ACCOUNT NUMBER OF THE PROPERTY, IF THE INSTRUMENT CREATES A LIEN OR OTHER INTEREST THAT COULD BE SUBJECT TO TAX FORECLOSURE -**

Required by ORS 312.125(4)(b)(B):

TS# D535298  
Order # 6489267

Deed Reference: MOS-61919

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RECORDING REQUESTED BY

T.D. SERVICE COMPANY

and when recorded mail to

T.D. SERVICE COMPANY  
4000 W. METROPOLITAN DRIVE  
SUITE 400  
ORANGE, CA 92868

\_\_\_\_\_ Space above this line for recorder's use \_\_\_\_\_

**OREGON NOTICE OF DEFAULT AND ELECTION TO SELL**



T.S. No: D535298 OR Unit Code: D Loan No: 115205000-1/TERRELL  
Min No: 100186300000114940  
AP #1: 3909-011C08500-000  
Title #:

Reference is made to that certain Trust Deed made by COLE B. TERRELL, KATIE S. TERRELL as Grantor, to FIDELITY SERVICE CORPORATION as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR GOLF SAVINGS BANK as Beneficiary.

Dated August 8, 2005, Recorded August 15, 2005 as Instr. No. M05-61919 in Book --- Page --- of Official Records in the office of the Recorder of KLAMATH County, OREGON

covering the following described property situated in said county and state to wit:  
LOT 14 OF TONATEE HOMES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

The street or other common designation if any, of the real property described above is purported to be:  
4306 BARRY AVE., KLAMATH FALLS, OR 97603

The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

The undersigned CHRISTOPHER C. DORR, OSBA # 992526 hereby certifies that no assignments of the Trust Deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made except as recorded in the mortgage records of the county or counties in which the above described real property is situated. Further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said Trust Deed, or, if such action has been instituted, such action has been dismissed, except as permitted by ORS 86-735 (4).

There is a default by the Grantor or other person 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 provisions. The default for which foreclosure is made is Grantor's failure to pay when due the following sums:

4 PYMTS FROM 11/01/11 TO 02/01/12 @ 1,053.48	\$4,213.92
TOTAL LATE CHARGES	\$279.07
PROPERTY INSPECTION	\$27.00
RETURN CHECK	\$64.00
 Sub-Total of Amounts in Arrears:	 \$4,583.99

Together with any default in the payment of recurring obligations as they become due.

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: Principal \$117,165.56 together with interest as provided in the note or other instrument secured from 10/01/11, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Section 86.705 to 86.795 and to cause to be sold at public auction to the highest bidder for cash the interest in the said described property which the Grantor had, or had the power to convey, at the time of the execution by Grantor of the Trust Deed, together with any interest the Grantor or his successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 10:00 A.M. in accord with the standard of time established by O.R.S. 187.110 on July 2, 2012 at the following place:  
INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH FALLS , County of KLAMATH, State of Oregon.

Other than as shown of record, neither the said beneficiary or the said trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the Trust Deed, or of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except:

NAME AND LAST KNOWN ADDRESS NATURE OF RIGHT, LIEN OR INTEREST

*notice of default  
page 2 of 4*

Notice is further given that any person named in O.R.S. 86.753 has the right, at any time prior to five days before the trustee conducts 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 any other default complained of herein that is capable of being cured by tendering the performance required under the obligation of Trust Deed, and in addition to paying said sums or tendering the performance necessary to cure 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 O.R.S. 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular gender 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 Beneficiary may be attempting to collect a debt and any information obtained may be used for that purpose.

DATED: FEBRUARY 21, 2012

CHRISTOPHER C. DORR, OSBA #992526

By   
CHRISTOPHER C. DORR, ATTORNEY AT LAW

**DIRECT INQUIRIES TO:**  
T.D. SERVICE COMPANY  
FORECLOSURE DEPARTMENT  
4000 W. Metropolitan Drive  
Suite 400  
Orange, CA 92868  
(800) 843-0260

notice of Default  
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STATE OF OREGON  
COUNTY OF MULTNOMAH

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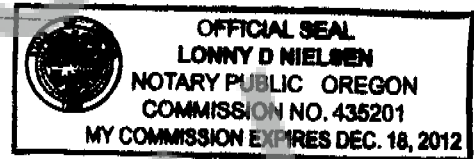
On 8/17/12 before me, Lonny D Nielsen, a Notary Public in  
and for said County and State, personally appeared

Christopher C. Dorr, 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 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 OREGON that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



Unofficial Copy

notice of Default  
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