

NTC 92684

2012-003130

Klamath County, Oregon



00115790201200031300040049

03/26/2012 03:37:09 PM

Fee: \$52.00

RECORDING REQUESTED BY  
and When Recorded Mail to:

**Fidelity National Title Insurance Company**  
1920 Main Street, Suite 1120  
Irvine, CA 92614

TS No.: 12-00038-6  
Loan No. 0154470025

**TAX ID: R3809033AB13701000**

**NOTICE OF DEFAULT  
RECORDING COVER SHEET  
Pursuant to ORS 205.324**

**Direct: Fidelity National Title Insurance Company**  
Address: 1920 Main Street, Suite 1120  
Irvine, CA 92614

**Indirect: THOMAS M. MARTINCELLO, AN UNMARRIED MAN**  
114 SANDALWOOD CT  
SANTA ROSA, CA 95401

**This cover sheet has been prepared by the person presenting the attached instrument for recording. Any errors contained in this cover sheet to not affect the transaction(s) contained in the instrument itself.**

**ORIGINAL GRANTOR:**  
THOMAS M. MARTINCELLO, AN UNMARRIED MAN  
114 SANDALWOOD CT  
SANTA ROSA, CA 95401

**CURRENT BENEFICIARY:**  
HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR WELLS FARGO ASSET SECURITIES  
CORPORATION, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-15  
c/o Wells Fargo Bank, N.A  
3476 Stateview Boulevard  
MAC X7801-01D  
Fort Mill, SC 29715

529nd

Reference is made to that certain Deed of Trust made by THOMAS M. MARTINCELLO, AN UNMARRIED MAN, as the original grantor, to FIDELITY NATIONAL TITLE INSURANCE COMPANY, as the original trustee, in favor of WELLS FARGO BANK, N.A., as the original beneficiary, dated as of August 31, 2006, and recorded September 13, 2006, as Instrument No. 2006-018474, of Official Records in the Office of the Recorder of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, (the "Deed of Trust"):

The current beneficiary is: HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR WELLS FARGO ASSET SECURITIES CORPORATION, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-15, the ("Beneficiary").

APN: R3809033AB13701000

As more particularly described in Exhibit "A" attached hereto and made a part hereof

Commonly known as: 323 E MAIN STREET, KLAMATH FALLS, OR

The undersigned Fidelity National Title Insurance Company, as duly appointed Trustee, hereby certifies that to the best of its knowledge and based on information available, that no assignments of the Deed of Trust by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the Deed of Trust, 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 grantor or other person owing an obligation, performance of which is secured by the Deed of Trust, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is made is that the grantor(s): failed to pay payments which became due; together with late charges due; together with other fees and expenses incurred by the Beneficiary; and which defaulted amounts total: \$3,398.40 as of March 22, 2012.

By reason of the default, the Beneficiary has declared all sums owing on the obligation secured by the Deed of Trust immediately due and payable, those sums being the following, to wit: The sum of \$97,827.16 together with interest thereon at a rate of 6.50000% per annum from September 1, 2011 until paid: plus all accrued late charges thereon and all Trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed trust.

Notice hereby is given that the Beneficiary and Trustee, by reason of default, have elected and do hereby elect to foreclose the Deed of Trust 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 grantor had, or had the power to convey, at the time of the execution by grantor of the Deed of Trust, together with any interest grantor or grantor's successor in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust and the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of Trustee's attorneys.

The sale will be held at the hour of **10:00 AM**, in accord with the standard of time established by ORS 187.110, on **August 6, 2012**, at the following place: **on the front steps of the Circuit Court, 316 Main Street., in the City of Klamath Falls, County of Klamath, State of Oregon.**

**FOR SALE INFORMATION CALL: 714.730.2727**  
**Website for Trustee's Sale Information: [www.ipsasap.com](http://www.ipsasap.com)**

Other than as shown of record, neither the Beneficiary nor the 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 Deed of Trust, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property.

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 Deed of Trust 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), together with costs, Trustee's and attorney's fees, by curing any other

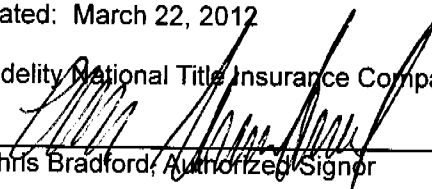
default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

FOR FURTHER INFORMATION CONTACT:  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
1920 Main Street, Suite 1120  
Irvine, CA 92614  
949-252-4900

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to this grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated: March 22, 2012

Fidelity National Title Insurance Company, Trustee

  
Chris Bradford, Authorized Signor

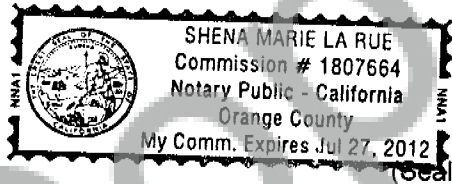
State of California                    }ss.  
County of Orange                    }ss

On March 22, 2012, before me, Shena Marie La Rue, Notary Public, personally appeared Chris Bradford, 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 California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
Shena Marie La Rue # 1807664  
My Commission Expires July 27, 2012



(Seal)

**Exhibit A**

**A parcel of land situated in a portion of Lots 18, 19, 20 and 21 of Block 18, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the NE 1/4 NW 1/4 and the NW 1/4 NE 1/4 of Section 33, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:**

**Beginning at a point on the Northerly right of way line of East Main Street, said point being the most Southerly corner of said Lot 18; thence North 55° 33' 00" West, along said right of way line, 37.47 feet to the most Southerly corner of Parcel "A" of said Property Line Adjustment 1-FL-96; thence along the boundary of said Parcel "A" North 34° 27' 00" East 90.00 feet and North 55° 33' 00" West 62.45 feet; thence North 34° 27' 00" East 25.00 feet to the most Northerly corner of said Lot 21; thence South 55° 33' 00" East 99.92 feet to the most Easterly corner of said Lot 18; thence South 34° 27' 00" West 115.00 feet to the point of beginning.**

**CODE 001 MAP 3809-033AB TL 13701 KEY# 880805**

Unofficial  
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