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NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



NOTICE OF DEFAULT AND ELECTION TO SELL

2012-005396

Klamath County, Oregon



00118425201200053960020027

05/17/2012 03:22:04 PM

Fee: \$42.00

RE: Trust Deed from

JENIFER BARRY

P.O Box 818

Chiloquin, OR 97624

To

Grantor

Aspen Title and Escrow, Inc.

Neal G. Buchanan, Successor

435 Oak Ave., Klamath Falls, OR 97601

Trustee

After recording, return to (Name, Address, Zip):

Neal G. Buchanan, Attorney

435 Oak Avenue

Klamath Falls, OR 97601

Reference is made to that certain trust deed made by Jenifer Barry

_____, as grantor, to
Aspen Title & Escrow, Inc., as trustee,
 in favor of Thomas W. Williams, as beneficiary,
 dated September 6, 2005, recorded on September 12, 2005, in the Records of
Klamath County, Oregon, in ☐ book ☐ reel ☒ volume No. M-05 at page 63984,
 and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ (indicate which), covering the following
 described real property situated in the above-mentioned county and state, to-wit:

Lots 3 and 4, Block 10, Tract No. 1053, OREGON SHORES, according to the
 official plat thereof on file with the Clerk of Klamath County, Oregon

The beneficial interest in said Trust Deed was assigned by instrument recorded September
 17, 2009 in Vol. 2009-012343 to Thomas W. Williams as Trustee of the Thomas W. Williams
 Family Holding Trust uad May 1, 2009.

Neal G. Buchanan was appointed Successor Trustee by instrument recorded August 4, 2009
 at Vol. 2009-010515.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appoint-
 ments 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 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 grantor or other person owing an obligation, performance of which is secured by the trust deed, or by
 the 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 grantor's failure to pay when due the following sums:

- 1) Failure to pay the payment in the amount of \$489.44 plus fees due August 12, 2011
and the same day of each month thereafter; and
- 2) Failure to pay real property taxes before the same became past due or delinquent; and
- 3) Failure to maintain insurance on the premises as required by the Trust Deed.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately
 due and payable, those sums being the following, to-wit:

- 1) Unpaid balance in the sum of \$45,535.32 together with interest on said sum at the rate
of six (6.0) percent per annum from August 8, 2011 until paid; and
- 2) Real property taxes; and
- 3) All costs and expenses incurred in enforcing the Trust including costs of title,
trustees and attorneys fees.

(OVER)



Notice hereby is given that the beneficiary and trustee, by reason of the 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 grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor 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 the reasonable fees of trustee's attorneys.

The sale will be held at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on September 26, 2012, at the following place: 435 Oak Avenue in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

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 trust deed, or of any successor in interest to 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

Jenifer Barry, nka Jenifer Jennings or
Jenifer Barry-Jennings
P.O. Box 818
37945 Aspenwood
Chiloquin, OR 97624

Fee owner, Grantor and party in
possession

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 any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying the 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 fees not exceeding the amounts provided by 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED May 17, 2012

Neal G. Buchanan

Successor ☒ Trustee ☐ Beneficiary (indicate which)

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on May 17, 2012
by Neal G. Buchanan, Attorney at Law, Successor Trustee

This instrument was acknowledged before me on _____

by _____

as _____

of _____



Margaret John
Notary Public for Oregon
My commission expires 9-12-14