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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****2012-007045****Klamath County, Oregon**

00120395201200070450030037

06/26/2012 02:25:54 PM

Fee: \$47.00

SPACE RESERVED
FOR
RECORDER'S USE**Tonya Trujillo****816 West Oregon Avenue****Klamath Falls, OR 97601**

Grantor's Name and Address*

Amerititle Neal G. Buchanan, Attorney**435 Oak Avenue****Klamath Falls, OR**

Successor Trustee's Name and Address*

Don Purio Development Company, LLC**An Oregon Limited Liability Co.****3245 Homedale, Road, Klamath Falls, OR**

Beneficiary's Name and Address*

After recording, return to (Name and Address):

Neal G. Buchanan, Attorney**435 Oak Avenue****Klamath Falls, OR 97601**

*ORS 205 requires the first page of a recorded document to show the names and addresses of all parties. Use Stevens-Ness Form No. 1256, Cover Sheet for Instrument to be Recorded, if you need additional space.

Reference is made to that certain trust deed made by **TONYA TRUJILLO**

_____, as grantor, to
AMERITITLE, An Oregon Corporation _____, as trustee,
 in favor of **Don Purio Development Company, LLC, An Oregon Limited Liability Company** _____, as beneficiary,
 dated **June 10, 2011**, recorded on **June 15, 2011**, in the Records of
Klamath County, Oregon, in ☐ book ☐ reel ☒ volume No. **2011** at page **007265**,
 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 (legal description of property):

**Lot 36 of TRACT 1445, REGENCY ESTATES PHASE 3, according to the official plat thereof
 on file in the office of the County Clerk, Klamath County, Oregon.**

**The beneficial interest was assigned by instrument dated August 9, 2011, recorded at
 Volume 2011, page 009177 to Don Purio.**

**By appointment of Successor Trustee dated April 30, 2012, recorded May 1, 2012 at
 Volume 2012, page 004523, Neal G. Buchanan, Attorney at Law was appointed Successor
 Trustee.**

The undersigned 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 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:

- A) Failure to pay the payment due March 15, 2012 in the sum of \$900.53 (together with collection charges), and the payment due each month thereafter in like amount.**
- B) Failure to provide proof of payment of real property taxes.**
- C) Failure to provide proof of Insurance.**

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:

- A) Unpaid balance in the sum of \$157,220.30 together with interest thereon at the rate of 5% per annum from February 21, 2012; and**
- B) Proof of payment of real property taxes and insurance; and**
- C) Costs, fees and expenses of the Trust, including cost of title search and Trustee and Attorney fees incurred.**

(CONTINUED)



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 October 30, 2012, at the following place: 435 Oak Avenue

Klamath in the City of Klamath Falls County of _____, 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

SEE ATTACHED EXHIBIT A

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 instrument, where the context so requires, 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, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, the undersigned has executed this instrument on _____

Neal G. Buchanan

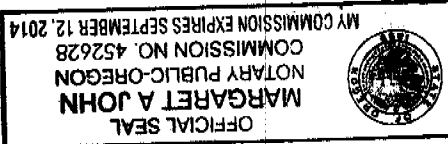
Successor ☒ TRUSTEE ☐ BENEFICIARY (INDICATE WHICH)

STATE OF OREGON, County of Klamath () ss.

This instrument was acknowledged before me on _____ by Neal G. Buchanan, Successor Trustee

This instrument was acknowledged before me on _____

by _____
as _____
of _____



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

Margaret A. John

EXHIBIT A

NAME	ADDRESS	NATURE OF RIGHT, LIEN OR INTEREST
Tonya Trujillo aka Tonya Musselman aka Tonya Trujillo- Musselman	816 W. Oregon Avenue Klamath Falls, OR 97601	Fee Owner & Grantor
Credit Bureau of Klamath County	Angela M. Trainor Registered Agent 839 Main Street Klamath Falls, OR 97601	Judgment entered in Klamath County Circuit Court Case No. 1104161CVT
Damian Trujillo	619 Romine McKeesport, PA 15132	Judgments entered in Klamath County Circuit Court Case No. 1100554CV
William Leon Trujillo	619 Romine McKeesport, PA 15132	Judgments entered in Klamath County Circuit Court Case No. 110554CV
Nathan Ratliff Attorney At Law	620 Main Street Klamath Falls, OR 97601	Attorney for Damian Trujillo and William Leon Trujillo
State of Oregon	c/o Klamath County District Attorney 316 Main Street Klamath Falls, OR 97601	Judgment entered in Klamath County Circuit Court Case No. 1200855CR