

AFTER RECORDING RETURN TO:
JOHN R. HANSON
ATTORNEY AT LAW
23 NEWTOWN STREET
MEDFORD OR 97501

2013-003825
Klamath County, Oregon
04/10/2013 02:52:07 PM
Fee: \$57.00

1st 2070942

NOTICE OF DEFAULT AND ELECTION TO SELL
(Not a Residential Trust Deed)

Reference is made to that certain Trust Deed made, executed and delivered by **DK2 ENTERPRISES, L.P.**, as the "GRANTOR," **ASPEN TITLE AND ESCROW**, as the "TRUSTEE," and **JAMES D. PLUMMER** as the "BENEFICIARY," under that Trust Deed dated May 28, 2008 and recorded on May 28, 2008 as Document No. 2008-7730 in the Official Records of Klamath County, State of Oregon, given to secure a Promissory Note in the principal sum of Two Hundred Twenty-Seven Thousand Dollars (\$227,000.00). The Deed of Trust covers the following described real property located in Klamath County, State of Oregon:

LOT 11, BLOCK 14, WEST CHILOQUIN, ACCORDING TO THE OFFICIAL PLAT THEREOF IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

The beneficiary, James D. Plummer has appointed John R. Hanson whose address is 23 Newtown, Medford, Oregon 97501 as successor trustee by recording an appointment of Successor Trustee in the official records of Klamath County, Oregon.

The Promissory Note is delinquent. The default for which foreclosure is made is Grantor's failure to pay the entire balance, principal and interest which became fully due and collectable on May 28, 2010.

By reason of Grantor's default, the Beneficiary has declared all sums owing on the Promissory Note secured by the Trust Deed immediately due and collectible, said sums being the following:

P 52 - Beneficiary Exemption Affidavit # 2013-3824

The sum of Eighty-Seven Thousand Forty-Nine Dollars (\$87,049.00), together with interest at the rate of Thirteen and One-Half Percent (13.5%) per annum from January 4, 2010 until paid; Forty (40) months of late fees in the amount of Ninety-Seven Dollars Ninety-Four Cents (\$97.94) per month for a total amount owing for late fees as of April 2013 in the sum of Three Thousand Nine Hundred Eighteen Dollars (\$3,918.00); and an advance in the amount of Nine Hundred Ninety-One Dollars (\$991.00) to pay real property taxes. The total amount owing as of April 1, 2013 is the sum of One Hundred Thirty-One Thousand One Hundred Thirty Dollars (\$131,130.00), together with future advances, accrued interest, attorney fees and costs.

Notice is given that the Beneficiary and Trustee, by reason of the default, have elected and do elect to foreclose the Trust Deed by advertisement and sale pursuant to ORS Sections 86.705 to 86.795 and to cause to be sold at public auction to the highest bidder for cash the interest in the above-described property which the Grantors had, or had the power to convey, at the time of the execution by him/her of the Trust Deed, together with any interest of the Grantors or their successors in interest acquired after execution of the Trust Deed, to satisfy the obligations secured by the Trust Deed and the expenses of sale, including the compensation of the Trustee, as provided by law and the reasonable fees of Trustee's attorneys.

SAID SALE WILL BE HELD ON TUESDAY, AUGUST 27, 2013, AT THE HOUR OF 2:00 P.M., PACIFIC DAYLIGHT TIME, as established by Section 187.110 of the Oregon Revised Statutes on FRONT STEPS OF THE KLAMATH COUNTY COURTHOUSE, 6500 SOUTH SIXTH STREET, KLAMATH FALLS, OREGON 97603, which is the hour, date and place fixed by the Trustee for said sale.

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Other than as shown of record, neither the Beneficiaries or the Trustee have any actual notice of any person having or claiming to have a lien upon or interest in the real property subsequent to the interest of the Trustee in the Trust Deed, or of any successor in interest to the Grantors or of any lessee or of any person in possession or occupying the property.

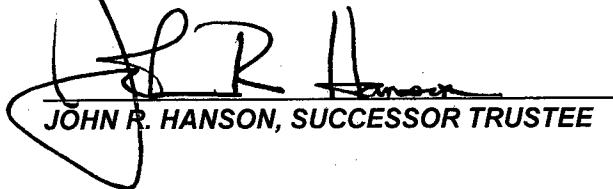
NOTICE IS FURTHER GIVEN that any person named in Section 86.753 of the Oregon Revised Statutes has the right, at any time prior to five (5) days before the Trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the Beneficiary of the entire amount then due, and by curing any other default complained of herein that is capable by being cured by tendering the performance required under the obligation or Trust Deed, and 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 the Trustee's fees and attorney's fees, not exceeding the amounts provided by Section 86.753 of the Oregon Revised Statutes.

In construing this Notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantors" includes any successor in interest to grantors, 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 the respective successors in interest, if any.

The undersigned certifies that the above described property does not contain a dwelling unit as defined in ORS 90.100 and that the above described trust deed is not a "residential trust deed" as defined in ORS 86.705(5).

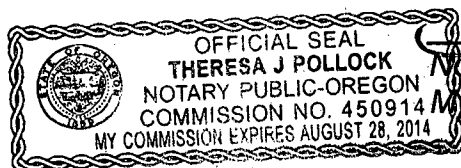
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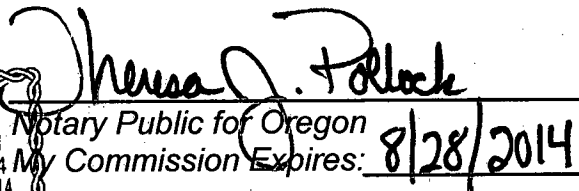
DATED this 9th day of April, 2013.


JOHN R. HANSON, SUCCESSOR TRUSTEE

STATE OF OREGON)
)ss.
County of Jackson)

On the 9th day of April, 2013, before me personally appeared JOHN R. HANSON, SUCCESSOR TRUSTEE, and acknowledged the foregoing instrument to be his voluntary act and deed.




Notary Public for Oregon
My Commission Expires: 8/28/2014

SUBMITTED BY:

John R. Hanson, OSB #772101
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