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2013-003986

Klamath County, Oregon

04/16/2013 09:16:53 AM

Fee: \$47.00

After recording, return to:

ROBERT A. SMEJKAL
PO Box 1758
Eugene, OR 97440

Grantors:

RANDALL C. KING
LORI J. WARREN KING
20386 Rabbit Hill Road
Lakeview, OR 97630

Original Trustee:

FIRST AMERICAN TITLE INSURANCE CO.
PO Box 10146
Eugene, OR 97440

Successor Trustee:

ROBERT A. SMEJKAL
PO Box 1758
Eugene, OR 97440

Beneficiary:

RICHARD FULWILER, Trustee
2163 Lawrence Street
Eugene, OR 97405

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain Trust Deed made by RANDALL C. KING and LORI J. WARREN KING as Grantors, to FIRST AMERICAN TITLE INSURANCE CO. as Trustee, in favor of RICHARD FULWILER, Trustee of THE RICHARD FULWILER LOVING TRUST dated January 14, 1993, as Beneficiary, dated May 24, 2007, recorded June 8, 2007, as Recorder's No. 2007-010331 in the Records of Klamath County, Oregon. The Trust Deed covers the following described real property situated in the above mentioned county and state, to wit:

"That portion of the West Half of South Half of North Half of Northeast Quarter of Northeast Quarter lying East of the County Road in Section 8, Township 25 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon."

The Successor Trustee hereby certifies that no assignments of the Trust Deed by the Successor 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).

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There is a default by the Grantors 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 Grantors' failure to pay: (1) the entire balance of the Installment Note which became due in full on June 8, 2012; and (2) real property taxes to the Klamath County Assessor for 2008-2009, and continuing each year thereafter, in the total amount of \$646.77, plus interest.

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 principal amount of \$89,995.25, plus interest at the rate of 11% per annum from February 8, 2013, until paid; plus late fees, foreclosure costs and attorney fees, and amounts, if any, advanced by the Beneficiary pursuant to the terms of the Trust Deed and/or applicable law.

Notice is hereby given that the Beneficiary and the Successor 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 ORS 86.795, and to cause to be sold at public auction to the highest bidder for cash or certified funds, the interest in the described property which Grantors had, or had the power to convey, at the time of the execution by Grantors of the Trust Deed, together with any interest Grantors or Grantors' successor in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by the Trust Deed and the expenses of sale, including the compensation of the Successor Trustee as provided by law, and the reasonable fees of the Successor Trustee's attorneys.

The sale will be held at the hour of 10:30 a.m. in accordance with the standard time established by ORS 187.110 on August 30, 2013, inside the front entrance of the Klamath County Courthouse, 316 Main Street, 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 Successor Trustee have 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 Successor Trustee in the Trust Deed, or of any successor in interest to the Grantors, or of any lessee or other person in possession of or occupying the property, except:

Name and Last Known Address

Right, Lien or Interest

None

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five (5) 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 the Successor Trustee's attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, the word "Grantors" includes any successor in interest to the Grantors 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.

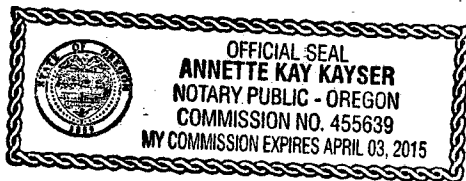
DATED this 11th day of April, 2013.

Robert A. Smejkal

ROBERT A. SMEJKAL, Successor Trustee

STATE OF OREGON, County of Lane) ss.

This instrument was acknowledged before me on April 11, 2013, by ROBERT A. SMEJKAL.



Annette Kayser

NOTARY PUBLIC FOR OREGON