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2013-004363

Klamath County, Oregon

04/24/2013 02:33:15 PM

Fee: \$52.00

After recording, return to:

ROBERT A. SMEJKAL

PO Box 1758

Eugene, OR 97440

Grantor:

TASA TAPA, LLC

PO Box 10545

Eugene, OR 97440

Trustee:

ROBERT A. SMEJKAL

PO Box 1758

Eugene, OR 97440

Beneficiaries:

CRAIG B. ROYCE

CINDY K. ROYCE

PO Box 88

Lorane, OR 97451

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain Trust Deed made by TASA TAPA, LLC, an Oregon limited liability company, as Grantor, to ROBERT A. SMEJKAL, Attorney at Law, as Trustee, in favor of CRAIG B. ROYCE and CINDY K. ROYCE, husband and wife or the survivor, as Beneficiaries, dated July 28, 2006, recorded August 3, 2006, as Recorder's No. 2006-015671, 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:

"A portion of the N 1/2 of the SW 1/4 of Section 17, Township 24 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at a point where the North-South center line of said Section 17 intersects the Northeasterly line of the highway right of way of Oregon State Highway 58; thence along said Northeasterly line of said right of way in a generally Northwesterly direction a distance of 1600 feet to a point which is the true point of beginning; thence at right angles to said highway right of way line in a generally Northeasterly direction 250 feet to a point; thence at right angles to said last mentioned course and in a generally Southeasterly direction 300 feet to a point; thence at right angles to said last mentioned course and in a generally Southwesterly direction 250 feet, more or less to the said Northeasterly right of way line of said Oregon State Highway 58; thence along said Northeasterly line of said right of way in a generally Northwesterly direction a distance of 300 feet more or less to the point of beginning."

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The Trustee hereby certifies that no assignments of the Trust Deed by the Trustee or the Beneficiaries and no appointments of a 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 the 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 the entire balance of the Promissory Note which became due in full on August 18, 2007.

By reason of the default, the Beneficiaries have declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, those sums being the principal amount of \$86,000.00, plus interest at the rate of 12% per annum from June 18, 2008, until paid; plus late fees, foreclosure costs and attorney fees, and amounts, if any, advanced by the Beneficiaries pursuant to the terms of the Trust Deed and/or applicable law, together with interest at the rate of 12% per annum from the date of each advance.

Notice is hereby given that the Beneficiaries and the 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 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 sale, including the compensation of the Trustee as provided by law, and the reasonable fees of the Trustee's attorneys.

The sale will be held at the hour of 11:00 a.m. in accordance with the standard time established by ORS 187.110 on September 25, 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 Beneficiaries 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 the Grantor, 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 Beneficiaries 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 Trustee's 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 "Beneficiaries" include their respective successors in interest, if any.

DATED this 22nd day of April, 2013.

Robert A. Smeal
ROBERT A. SMEJKAL, Trustee

STATE OF OREGON, County of Lane) ss.

This instrument was acknowledged before me on April 22, 2013, by ROBERT A. SMEJKAL.



Annette Kayser
NOTARY PUBLIC FOR OREGON