

AMERITITLE  
MTC 100051

After Recording Return to:

Joseph E. Kellerman  
Hornecker, Cowling, Hassen & Heysell, L.L.P.  
717 Murphy Road  
Medford, OR 97504

2014-001064

Klamath County, Oregon

02/06/2014 08:44:04 AM

Fee: \$52.00

**NOTICE OF DEFAULT AND ELECTION TO SELL**

NOTICE is hereby given that the obligation secured by the Trust Deed described below is in default, and that the beneficiary has elected to foreclose the Trust Deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the Trust Deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1.     Grantor:                 Donald J. Morrison and Carol Jo Anne Morrison,  
                                      As Tenants by the Entirety  
       Trustee:                 AmeriTitle  
       Successor Trustee:       Joseph E. Kellerman  
                                      717 Murphy Road  
                                      Medford, OR 97504  
       Beneficiary:             AmericanWest Bank, successor-by-merger to  
                                      PremierWest Bank
2.     Property covered by the Trust Deed:  
  
       See Exhibit "A" attached hereto and incorporated herein by this reference.
3.     Trust Deed was recorded on September 22, 2008 as Document No. 2008-013173,  
       Microfilm Records of Klamath County, Oregon.
4.     Default for which foreclosure is made is 1) failure of Grantor to pay required  
       monthly payments pursuant to the terms of the promissory note; and 2) failure to  
       pay real property taxes assessed against the premises.
5.     The sum owing on the obligation secured by the Trust Deed is \$246,490.10 as of  
       January 21, 2014, plus interest on the unpaid principal portion thereof at the  
       Weekly Average Five-Year Constant Maturity Treasury Rate, plus eight percent  
       (8%) pursuant to the interest and interest after default provisions of the  
       promissory note, plus trustee's, attorneys' costs and fees incurred plus such sums  
       as the Beneficiary may advance for the benefit of Grantor (*i.e.*, real property taxes,  
       insurance premiums, etc.) The Beneficiary has accelerated the entire balance as  
       due and owing.
6.     The Beneficiary has and does elect to sell the property to satisfy the obligation.

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amt.

7. The property will be sold in the manner prescribed by law on the 20<sup>th</sup> day of June, 2014, at 10:00 a.m. standard time as established by ORS 187.110, at the front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, 97601, Klamath County, Oregon.
8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.
9. In construing this notice and whenever the context hereof 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 said Trust Deed, and their successors in interest, the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed, and any collateral beneficiary, and their successors in interest.

DATED this 4<sup>th</sup> day of February, 2014.

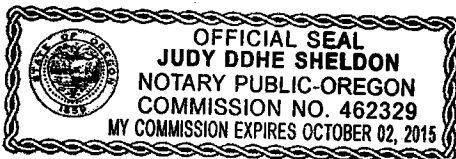
HORNECKER, COWLING,  
HASSEN & HEYSELL, L.L.P.

By: \_\_\_\_\_

Joseph E. Kellerman, Successor Trustee

STATE OF OREGON            )  
  ) ss.  
County of Jackson         )

On this 4<sup>th</sup> day of February, 2014, personally appeared before me Joseph E. Kellerman, as Successor Trustee, and acknowledged said instrument to be his voluntary act and deed.



\_\_\_\_\_  
Notary Public for Oregon

My Commission Expires: 10/2/15

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All of Lots 1, 2, 3, and 4 in Block 20 of FAIRVIEW ADDITION NO. 2 to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

All of Lot 5, LESS the following portion:

Beginning at the Northwest corner of Lot 5, Block 20, FAIRVIEW ADDITION NO. 2 to the City of Klamath Falls, Oregon; thence South along the West line of said Lot 5, 50 feet to the line between Lots 5 and 6 of said Block 20; thence East and parallel to Upham Street 35 feet to a point; thence in a Northwesterly direction to the point of beginning.

All of Lot 6, EXCEPT that portion conveyed to the City of Klamath Falls by Deed recorded in Volume 82 at page 205, Deed Records of Klamath County, Oregon, and LESS that portion conveyed to the City of Klamath Falls by Deed recorded in Volume 107 at page 201, Deed Records of Klamath County, Oregon all in Block 20 of FAIRVIEW ADDITION NO. 2 to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.