

2014-008857

Klamath County, Oregon



08/26/2014 11:13:48 AM

Fee: \$52.00

**NOTICE OF DEFAULT AND ELECTION TO SELL**

RE: Trust Deed  
From Larry D. White, Jr. and  
Amanda K. White, as Tenants  
by the Entirety, Grantor

To AmeriTitle, Inc., Trustee

For the benefit of Bobby S. Owens

AFTER RECORDING RETURN TO:  
Scott D. MacArthur, Successor Trustee  
125 S. 6th Street  
Klamath Falls, OR 97601

**NOTICE OF DEFAULT AND ELECTION TO SELL**

KNOW ALL MEN BY THESE PRESENTS, that LARRY D. WHITE, JR. and AMANDA K. WHITE, as Tenants by the Entirety, is the grantor, and AMERITITLE, INC., Is the trustee, and BOBBY S. OWENS is the beneficiary under that certain trust deed dated May 2, 2012, and recorded on May 11, 2012, in Volume No. 2012 at page 004968 of the Mortgage (Microfilm) Records of Klamath County, Oregon. The property is described as:

**PARCEL 1:**

Beginning at the quarter corner common to Sections 31 and 32, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 89 degrees 49' West 1444.55 feet; thence North 1 degree 10' East 20 feet to the Southeast corner of the herein described property; thence North 1 degree 10' East 100 feet; thence North 89 degrees 49' West 735 feet more or less, to a point on the Easterly right of way line of the Dalles-California Highway; thence Southerly along the Easterly right of way line of the Dalles-California Highway 106 feet, more or less, to a point which is North 89 degrees 49' West of the point of beginning; thence south North 89 degrees 49' East 770 feet, more or less, to the point of beginning and being all a part of Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon

**PARCEL 2:**

A strip of ground 20 feet wide, which lies East of the Dalles-California Highway, along the South side of the SW 1/4 of NE 1/4 of Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, beginning at a point which is North 89 degrees 49' West 1444.55 feet from the quarter corner common to Sections 31 and 32, said Township and Range; being a portion of the SW 1/4 of NE 1/4 of said Section 31.

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 mortgage records of the county or counties in which the above described real property is situate;

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further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action has been dismissed.

There is a default by the grantor or other person owing an obligation, the performance of which is secured by said trust deed, or by their 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:

Failure to make monthly payments in the amount of \$660.00 per month for the months of May 2014 to the present.

Failure to keep the real property free from liens by allowing a Judgment in the amount of \$2,495.53, plus interest and court costs in Klamath County Case No. 1400390-CV, to attach to the real property..

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: \$102,305.98 as of May 21, 2014, plus interest and costs.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for case the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensation of the trustee as provided by law, and the reasonable fees of trustee's attorney.

Said sale will be held at the hour of 11:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on January 9, 2015, at the following place: 125 S. 6th Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee of said sale.

Other than as shown of record, neither the said beneficiary or the said 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

NATURE OF RIGHT, LIEN OR INTEREST

Larry D. White  
8919 Shady Pine Road  
Klamath Falls, OR 97601

Default upon Trust Deed

Amanda K. White  
8919 Shady Pine Road  
Klamath Falls, OR 97601

Default upon Trust Deed

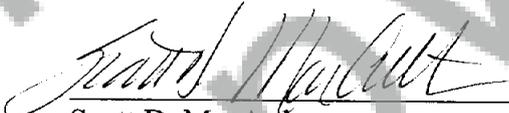
Credit Bureau of Klamath County  
839 Main Street  
Klamath Falls, OR 97601

Judgment dated February 25, 2014  
Klamath County Case No.1400390-CV

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five 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 (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 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 trustee's and attorney's fees not exceeding the amounts provided by said Section 86.753 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, 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 the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: August 26, 2014.

  
\_\_\_\_\_  
Scott D. MacArthur  
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of August, 2014, by Scott D. MacArthur.

(SEAL)

Before me:   
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 3-27-2018

