

2014-010526  
Klamath County, Oregon  
10/08/2014 02:01:11 PM  
Fee: \$52.00

187 23 23322

After recording return to:  
Robinson Tait, P.S.  
710 Second Ave, Suite 710  
Seattle, WA 98104

### NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by Mark F Ballman II as grantor, to Amerititle as trustee, in favor of Eagle Home Mortgage, LLC as beneficiary, dated April 28, 2008, recorded May 1, 2008, in the mortgage records of Klamath County, Oregon, as Document No. 2008-006352, and assigned to The Oregon Housing and Community Services Department, State of Oregon on June 4, 2008 in the records of Klamath County, Oregon, as Document No. 2008-008134, covering the following described real property situated in said county and state, to wit:

LOT 18 IN BLOCK 5 OF IRISH BEND ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. TOGETHER WITH THE UNDIVIDED 1/90TH INTEREST IN AND TO LOT 12, BLOCK 4, IRISH BEND.

PROPERTY ADDRESS: 2487 Blue Pool Way, Chiloquin, OR 97624

The current trustee is Robinson Tait, P.S., 710 Second Avenue, Suite 710, Seattle, WA 98104, telephone number (206) 676-9640 or toll free at 1 (855) 676-9640.

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 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, no remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.752(7).

There is a default by the grantor or other person owing an obligation or by their successor in interest, 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 grantors' failure to pay when due the following sums: monthly payments of \$738.22 beginning April 1, 2014; plus late charges of \$32.71 each month beginning April 15, 2014; plus advances of \$250.42; together with title expense, costs, trustee's fees and attorney's fees

F.  
57.00

incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$106,787.78 with interest thereon at the rate of 4.95000 percent per annum beginning March 1, 2014; plus late charges of \$32.71 each month beginning April 15, 2014 until paid; plus advances of \$250.42; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described property and its interest therein; and prepayment penalties/premiums, if applicable.

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

**The sale will be held at the hour of 11:00 AM, in accord with the standard time established by ORS 187.110 on February 17, 2015, at the following place: Klamath County Courthouse Front Entrance, 316 Main Street, Klamath Falls, OR 97601, which is the hour, date and place last set for the sale.**

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person have 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 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
-----------------------------	------------------------------------

Mark F Ballman II 2487 Blue Pool Way Chiloquin, OR 97624	
--	--

Notice is further given that any person named in ORS 86.778 has the right, at any time that is not later than five 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 every other default complained of herein by tendering the performance required under the obligation or trust deed, 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 ORS 86.778. Requests from persons named in ORS 86.778 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

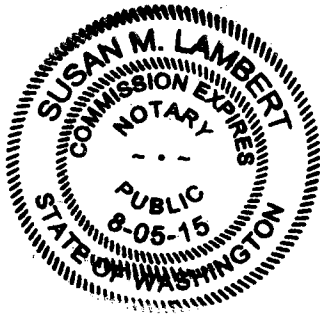
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

*Winston Khan*

Winston Khan  
Robinson Tait, P.S.

State of Washington )  
County of King )

The foregoing instrument was acknowledged before me this 7 day of October, 2014 by Winston Khan.



*Susan M. Lambert*  
NOTARY PUBLIC in and for the State of Washington,  
residing at Lynnwood, County of Snohomish

*Susan M. Lambert*

My appointment expires 08/05/2015

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

UNOFFICIAL COPY