



2014-013044

Klamath County, Oregon

12/18/2014 11:33:08 AM

Fee: \$52.00

NOTICE OF DEFAULT AND ELECTION TO SELL

Original Beneficiary Name:
GOLF SAVINGS BANK

Trustor Name:
SALLY ABNEY

Original Trustee Name:
NORTHWEST TRUSTEE SERVICES, INC

Original trust deed recorded:
10/25/2010, as Document No.: 2010-012554

TS NO.: 14-31087 140185726

After recording return to:
Benjamin D. Petiprin, attorney at law
c/o Law Offices of Les Zieve
One World Trade Center
121 Southwest Salmon Street, 11th Floor
Portland, OR 97204
Phone: (503) 946-6558

NOTICE OF DEFAULT AND ELECTION TO SELL

SALLY ABNEY, AN UNMARRIED WOMAN was the grantor, to NORTHWEST TRUSTEE SERVICES, INC was the trustee, and GOLF SAVINGS BANK, was the beneficiary, of that certain deed of trust (hereafter referred to as the Trust Deed) dated 10/20/2010, recorded 10/25/2010, as Document No. 2010-012554 in Book Page in the Mortgage Records of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, to wit: **Lot 10 of LOST RIVER COURT to the City of Merrill, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.**

The street address or other common designation, if any for the real property described above is purported to be:
191 COURT DR, MERRILL, OR 97633

The Tax Assessor's Account ID for the Real Property is purported to be: **R122450**

The undersigned successor trustee, Benjamin D. Petiprin, attorney at law c/o Law Offices of Les Zieve 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, now remaining secured by the Trust Deed, or, if such action has been instituted, such action has been dismissed except as permitted law.

Notice is hereby given by the present and successor trustee, Benjamin D. Petiprin, attorney at law pursuant to the written instructions of the present beneficiary, that the beneficiary by reason of the grantor's default, and that Benjamin D. Petiprin, attorney at law as Trustee by virtue of his powers under ORS 86.752(3) and by virtue of the grantors default, has/have elected and hereby elects to foreclose the above referenced Trust Deed by advertisement and sale pursuant to ORS 86.705 to 86.815 in order to satisfy the grantor's obligations secured by the Trust Deed. All right, title, and interest in the said described property which the grantors had, or had power to convey, at the time of execution of the Trust Deed, together with any interest the grantors or their successors in interest acquired after execution of the Trust Deed shall be sold at public auction to the highest bidder for cash 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 trustee's attorneys.

There is a default by 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 such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

Delinquent Payments:

<u>FROM</u>	<u>THRU</u>	<u>NO. PMT</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>TOTAL</u>
3/19/2014		1	2.411	\$76,766.58	\$76,766.58

Total Late Charges: \$0.00

Beneficiary Advances:

TOTAL FORECLOSURE COST: \$4,470.66

TOTAL REQUIRED TO CURE: \$81,237.24

Please note the amounts stated herein are subject to confirmation and review and are likely to change during the next 30 days. Please contact Benjamin D. Petiprin, attorney at law to obtain a "reinstatement" and or "payoff" quote prior to remitting funds.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the Trust Deed due and payable. The amount required to discharge this lien in its entirety to date is: \$77,279.75

That a breach of, and default in, the obligations secured by said deed of trust have occurred in that "A Borrower dies and the Property is not the principal residence of at least one surviving Borrower" and, the borrower has died and there are no other borrowers occupying the property, and therefore, the lender had declared all sums secured thereby forthwith due and payable plus the foreclosure costs, legal fees or any advances that may become due, and such sums have not been paid.

Nothing in this Notice of Default should be construed as a waiver of any fees owing to the beneficiary under the Deed of Trust, pursuant to the terms and provisions of the loan documents.

The Sale will be held at the hour of **10:00 AM**, in accord with the standard of time established by ORS 187.110 and pursuant to ORS 86.771(7) on **5/5/2015**, at the following designated place:

At the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR 97601

Other than as shown of record, neither the beneficiary 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 grantor or of any lessee or other person in possession of or occupying the property, except:
NONE

Notice is further given that any person named in ORS 86.778 has the right, at any time prior to 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 any other default complained of herein that is capable of being cured by tendering the performance required under the obligation of the 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 trustee's and attorney fees not exceeding the amounts provided by ORS 86.778.

The mailing address of the trustee is
Benjamin D. Petiprin, attorney at law
c/o Law Offices of Les Zieve
One World Trade Center
121 Southwest Salmon Street, 11th Floor
Portland, OR 97204
Phone: (503) 946-6558

Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's sale.

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 this 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 "beneficiary" include their respective successors in interest, if any.

Dated: 12-15-14

Benjamin D. Petiprin, attorney at law
c/o Law Offices of Les Zieve

By: 

STATE CA

COUNTY Orange

On 12-15-14 before me, Christine O'Brien Notary Public, personally appeared Benjamin D. Petiprin who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Christine O'Brien (seal)

