

2015-007161

Klamath County, Oregon

07/01/2015 01:06:34 PM

Fee: \$57.00

When recorded mail document to:

Clear Recon Corp
621 SW Morrison Street, Ste 425
Portland, OR 97205

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF DEFAULT AND ELECTION TO SELL

TS No.: 026513-OR

Loan No.: *****8631

Legal Authority: ORS 86.752, 86.771

Reference is made to that certain trust deed (the "Deed of Trust") executed by RAYMOND LEE YAGER AND OPAL KATHRYN YAGER, AS TENANTS BY THE ENTIRETY, as Grantor, to FIDELITY NATIONAL TITLE INSURANCE COMPANY, as Trustee, in favor of WELLS FARGO BANK, N.A., as Beneficiary, dated 4/11/2005, recorded 4/20/2005, in Book M05, Page 27683, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

LOT 41 IN BLOCK 19 OF TRACT NO. 1113, OREGON SHORES UNIT 2, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

APN: R244499 / R-3507-018DC-00900-000

**Commonly known as:
33612 SUNDANCE CIR
CHILOQUIN, OR 97624**

**The current beneficiary is:
Wells Fargo Bank, N.A.**

The undersigned hereby certifies that no assignments of the Deed of Trust 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 Deed of Trust, or, if such action has been instituted, the action has been dismissed, except as permitted by ORS 86.752(7), 86.010.

There is a default by grantor or other person owing an obligation, or by their successor-in-interest, the performance of which is secured by the Deed of Trust with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is due to the failure of the borrower to maintain the property as their principle residence..

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, those sums being the following: **\$171,946.30**

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Notice hereby is given that the beneficiary and trustee, by reason of default, have elected and do hereby elect to foreclose the Deed of Trust 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 grantor had, or had the power to convey, at the time grantor executed the Deed of Trust, together with any interest grantor or grantor's successor in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The Sale will be held at the hour of **10:00 AM.**, standard time, as established by ORS 187.110, on **11/12/2015**, at the following place:

**ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT,
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:

<u>Name and Last Known Address</u>	<u>Nature of Right, Lien or Interest</u>
ESTATE ADMINISTRATION UNIT ATTN: TAMMY BERSIN, OREGON DEPT OF HUMAN SERVICES P. O. BOX 14021 SALEM, OR 97309-5024	Interested Party
OPAL KATHRYN 3596 E. CENTRAL AVENUE FRESNO, CA 93725	Trustor under said Deed of Trust
OPAL KATHRYN YAGER 17489 SW SAPPHIRE LN BEAVERTON, OR 97007	Trustor under said Deed of Trust
OPAL KATHRYN YAGER 33612 SUNDANCE CIRCLE CHILOQUIN, OR 97624	Trustor under said Deed of Trust
OPAL KATHRYN YAGER 5758 E LORENA AVENUE FRESNO, CA 93727	Trustor under said Deed of Trust
OREGON DEPARTMENT OF REVENUE PO BOX 14380 SALEM, OR 97309	State Tax Lien Agency
OREGON SHORES RECREATIONAL CLUB 2019 MEADOW VIEW CHILOQUIN, OR 97624	Interested Party
RAYMOND LEE YAGER 17489 SW SAPPHIRE LN BEAVERTON, OR 97007	Trustor under said Deed of Trust

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RAYMOND LEE YAGER
33612 SUNDANCE CIRCLE
CHILOQUIN, OR 97624

Trustor under said Deed of Trust

RAYMOND LEE YAGER
3596 E. CENTRAL AVENUE
FRESNO, CA 93725

Trustor under said Deed of Trust

RAYMOND LEE YAGER
5758 E LORENA AVENUE
FRESNO, CA 93727

Trustor under said Deed of Trust

THE SECRETARY OF HOUSING AND URBAN
DEVELOPMENT
451 SEVENTH STREET, S. W.
WASHINGTON, DC 20410

Beneficiary of a Junior Lien

THE SECRETARY OF HOUSING AND URBAN
DEVELOPMENT
C/O WELLS FARGO BANK, N.A.
3601 MINNESOTA DRIVE, MAC: X4701-022
BLOOMINGTON, MN 55435

Beneficiary of a Junior Lien

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 the foreclosure proceeding dismissed and the Deed of Trust 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 Deed of Trust, 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 Deed of Trust, together with trustee's and attorneys' fees not exceeding the amounts provided by ORS 86.778.


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.

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In construing this notice, 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 Deed of Trust, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 6/29/2015

CLEAR RECON CORP
621 SW Morrison Street, Ste 425
Portland, OR 97205
858-750-7600


Bernis M. Gonyea, Authorized Signatory of Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss.
County of San Diego)

On JUN 29 2015 before me, ASHLEY JOHNSON, Notary Public, personally appeared Bernis M Gonyea 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  (Seal)

