



2015-009841
Klamath County, Oregon
09/03/2015 03:29:35 PM
Fee: \$52.00

Recording Requested By:

Jack Davis
515 East Main Street
Ashland, OR 97520

When Recorded Mail To:

Jack Davis
515 E. Main Street
Ashland, OR 97520

(This Space for Recorder's Use)

**TRUSTEE'S NOTICE OF DEFAULT
AND ELECTION TO SELL**

Patrick Wayne Carr, as grantor, made, executed and delivered to First American Title Insurance Company of Oregon as trustee, to secure the performance of certain obligations including the payment of the principal sum of \$20,000.00, in favor of Annette Gilbert Waits, fka Annette Lyn Gilbert as beneficiary, that certain trust deed dated September 13, 2010, and recorded September 21, 2010, in the official records of Klamath County, Oregon as Document No. 2010-011208, covering the following described real property situated in said county:

Lot 33, Block 125, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

There is a default by the grantor owing the obligations in that the grantor has failed to pay, when due, the following sums thereon:

Monthly installments of \$200.00 per month, beginning with the installment due May 20, 2015, which were due on the 20th day of each month thereafter.

which are now past due, owing and delinquent. Grantors' failure just described is the default for which the foreclosure mentioned below is made.

Trustee's Notice of Default
and Election to Sell -1-

DAVIS, HEARN, ANDERSON & TURNER
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455
www.davishearn.com

By reason of said default, the beneficiary has declared all obligations secured by said trust deed immediately due, owing and payable, said sums being the following, to wit:

\$18,688.52, together with interest thereon at the rate of 12% per annum from April 20, 2015 until paid, plus a late fee of 5% of the delinquent payment for each payment more than 10 days late, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed.

Notice is hereby given that the undersigned, by reason of said default, has elected and hereby does elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statute Section 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash 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 a reasonable charge by the trustee as provided by law, and the fees of trustee's attorneys.

Said sale will be held at the hour of 1:30 o'clock p.m., Pacific Time, as established by Section 187.110 of Oregon Revised Statutes, on January 27, 2016 at the following place: the law offices of Brandsness, Brandsness & Rudd, 411 Pine Street, Klamath Falls, Oregon 97601.

Other than as shown of record, the trustee has no 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:

<u>NAME AND LAST KNOWN ADDRESS</u>	<u>NATURE OF RIGHT, LIEN OR INTEREST</u>
Patrick W. Carr 2416 Orchard Way Klamath Falls, OR 97601	Grantor and Fee Simple Owner
General Credit Service, Inc. 2724 West Main Street P.O. Box 8 Medford, OR 97501	Judgment Creditor
Carter-Jones Collection Services 1143 Pine Street Klamath Falls, OR 97601	Judgment Creditor

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Notice is further given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred), together with costs, trustee's and attorney's fees, at any time prior to five days before the date set for said sale.

As required by Oregon law, a Beneficiary Exemption Affidavit is recorded herewith, it having been emailed to the Oregon Department of Justice, Foreclosure Avoidance Program.

DATED: This 28th day of August, 2015

DAVIS, HEARN, ANDERSON & TURNER, P.C.

[Signature]
JACK DAVIS, Successor Trustee

STATE OF OREGON)
) §
COUNTY OF JACKSON)

On this 28th day of August, 2015, personally appeared the above-named JACK DAVIS and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:

Dawn Caldwell
Notary Public for Oregon
My Commission Expires: 6/25/18



Trustee's Notice of Default
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