
MTC 1/10 1:32 PM
After recording, return to:
ROBERT A. SMEJKAL, P.C.
PO Box 1758
Eugene, OR 97440

2016-006625
Klamath County, Oregon
06/22/2016 03:38:58 PM
Fee: \$52.00

Grantor:
LaRae, LLC,
an Oregon limited liability company

Trustee:
ROBERT A. SMEJKAL
PO Box 1758
Eugene, OR 97440

Beneficiary:
CHEWKO §401(k) Profit Sharing Plan

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain Trust Deed made by LaRae, LLC, an Oregon limited liability company as Grantor, to Robert A. Smejkal, Attorney at Law as Trustee, in favor of CHEWKO §401(k) Profit Sharing Plan, as Beneficiary, dated May 18, 2007, recorded May 18, 2007, as Recorder's No. 2007-009127, all in the Deeds and Records of Klamath County, Oregon. The Trust Deed covers the real property situated in the above mentioned county and state which is more particularly described as follows:

"Real property in the County of Klamath, State of Oregon, described as follows:

A portion of the NE 1/4 of the SW 1/4 of Section 17, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Commencing at a point where the North-South center line of said Section 17 intersects the Northeasterly line of the highway right of way of Oregon State Highway 58; thence along said Northeasterly line of said right of way in a general Northwesterly direction, a distance of 650.0 feet to a point which is the true point of beginning; thence at right angles to said highway right of way in a generally Northeasterly direction, 250.0 feet to a point; thence at right angles to said last mentioned course in a generally Southeasterly direction, 250.0 feet to a point; thence at right angles to last mentioned course and in a generally Southwesterly direction, 250.0 feet, more or less, to said Northeasterly right of way line of said Oregon State Highway 58; thence along said Northeasterly line of said right of way in a generally Northwesterly direction, a distance of 250.0 feet, more or less, to the point of beginning."

The Trustee hereby certifies that no assignments of the Trust Deed by the Trustee, the Beneficiary or any successors, and no appointments of a Trustee have been made, except as recorded in the records of the county 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 by ORS 86.735(4).

There is a default by Grantor, performance of which is secured by the Trust Deed with respect to provisions therein, which authorizes sale in the event of default of such provision. The default for which foreclosure is made is Grantor's failure to pay the entire balance of the Promissory Note which became due in full on May 18, 2009, and for failure to pay real property taxes for 2012-2013 and each year thereafter plus interest.

By reason of the default, the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, those sums being the principal amount of \$45,000.00, plus interest at the rate of 12% per annum from November 28, 2009 until paid; plus late fees, amounts advanced by the Beneficiary, if any, pursuant to the Trust Deed or applicable law and attorney fees and foreclosure costs incurred.

Notice is hereby given that the Beneficiary and the Trustee, by reason of the default, have elected and do hereby elect to foreclose the Trust Deed by advertisement and sale pursuant to ORS 86.705 to ORS 86.795, and to cause to be sold at public auction to the highest bidder for cash or certified funds, the interest in the described property which Grantors had, or had the power to convey, at the time of the execution by Grantor of the Trust Deed, together with any interest Grantor acquired after the execution of the Trust Deed, 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 the Trustee's attorney.

The sale will be held at 11:00 a.m. in accord with the standard time established by ORS 187.110 on November 2, 2016, at the front entrance of the Klamath County Courthouse located at 316 Main St., 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 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:

Name and Last Known Address	Nature of Right, Lien or Interest
None	

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five (5) 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 or 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 the Trustee's attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, the word "Grantors" includes any successor in interest to the Grantors as well as any other person owing an obligation, the performance of which is secured by the Trust Deed, and the words "Trustee" or "Beneficiary" include their respective successors in interest, if any.

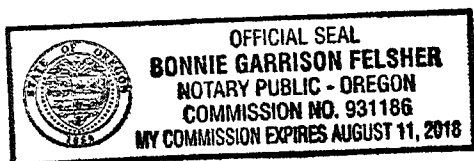
DATED this 15th day of June, 2016.



ROBERT A. SMEJKAL, Trustee

STATE OF OREGON, County of Lane) ss.

This instrument was acknowledged before me on June 15, 2016, by ROBERT A. SMEJKAL, Trustee.




NOTARY PUBLIC FOR OREGON