

**2016-009947**

**Klamath County, Oregon**

**09/20/2016 09:19:00 AM**

**Fee: \$52.00**

**When recorded mail document to:**

Clear Recon Corp  
111 SW Columbia Street #950  
Portland, OR 97201  
Phone: 866-931-0036

SPACE ABOVE THIS LINE FOR RECORDER'S USE

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**NOTICE OF DEFAULT AND ELECTION TO SELL**

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TS No.: 039037-OR

Loan No.: \*\*\*\*\*2388

Legal Authority: ORS 86.752, 86.771

Reference is made to that certain trust deed (the "Deed of Trust") executed by ERIC D. WEATHERSBEE AND ROBIN J. WEATHERSBEE, TENANTS BY THE ENTIRETY, as Grantor, to FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC., SOLELY AS NOMINEE FOR EQUIFIRST CORPORATION, ITS SUCCESSORS AND ASSIGNS, as Beneficiary, dated 8/29/2006, recorded 8/31/2006, as Instrument No. 2006-017592, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**A portion of Lot 11 in Block 113 of BUENA VISTA ADDITION, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, more particularly described as follows:**

**Beginning at a point in Lot 11 in Block 113 of BUENA VISTA ADDITION to the City of Klamath Falls, Oregon, which said point is the intersection of the Westerly line of California Avenue and the Southerly line of Arch Street; thence along the Easterly line of said lot to the Southeasterly corner thereof; thence along the Southerly line of said lot, 100 feet; thence on a line parallel with the Westerly line of California Avenue to the Northerly line of said lot; thence to the place of beginning; being the Easterly 100 feet of Lot 11 in Block 113 of BUENA VISTA ADDITION to the City of Klamath Falls, Oregon, less the Westerly 3 feet of said described premises conveyed to T.B. Watters by Deed dated April 1, 1942 and recorded March 6, 1944 in Book 163, page 51, Deed Records of Klamath County, Oregon.**

**APN: R367070 / R-3809-029CC-01900-000**

**Commonly known as:**

**1344 CALIFORNIA AVE  
KLAMATH FALLS, OR 97601**

**The current beneficiary is:**

**U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, FOR RESIDENTIAL ASSET  
MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH  
CERTIFICATES, SERIES 2006-EFC2**

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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 grantor's failure to pay when due, the following sums:

*Delinquent Payments:*

<u>Dates:</u>	<u>Total:</u>
11/01/2012 – 09/01/2016	\$9,203.87
<i>Late Charges:</i>	\$580.69
<i>Beneficiary Advances:</i>	\$50,031.52
<i>Foreclosure Fees and Expenses:</i>	\$469.50

**TOTAL REQUIRED TO REINSTATE: \$60,285.58**

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: **\$189,169.34**

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 86.815, 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 **1/31/2017**, at the following place:

**ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**

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: 9/14/2016

CLEAR RECON CORP  
111 SW Columbia Street #950  
Portland, OR 97201  
Phone: 858-750-7600 or 866-931-0036

  
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.

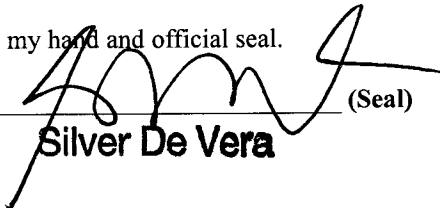
State of California )  
 ) ss.  
County of San Diego )

On SEP 14 2016 before me, Silver De Vera, 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

  
Silver De Vera (Seal)

