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NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCE

2017-002793

Klamath County, Oregon



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03/17/2017 09:11:26 AM

Fee: \$47.00

NOTICE OF DEFAULT AND ELECTION TO SELL

Alex Cruickshank & Gitte Jensen

2301 Linda Vista Drive

Klamath Falls, OR 97601

Grantor's Name and Address

Ticor Title (Neal G. Buchanan as
Successor)

435 Oak Ave. Klamath Falls, OR 97601

Trustee's Name and Address

William R. Wohrman & Janice C.

Wohrman as Trustees

6500 Old Fort Rd. Klamath Falls, OR

97601

Beneficiary's Name and Address

After recording, return to (Name and Address):

Neal G. Buchanan - Attorney

435 Oak Avenue

Klamath Falls, OR 97601

SPACE RESERVED

FOR

RECORDERS USE

Reference is made to that certain trust deed made by Alex Cruickshank and Gitte Jensen, as grantor,
to Ticor Title (Neal G. Buchanan, Attorney at Law as Successor), as trustee,
in favor of William R. Wohrman and Janice C. Wohrman, Trustees of the Wohrman Family
Revocable Living Trust
dated March 20, 2009, as beneficiary,
March 20, 2009, recorded on March 20, 2009, in the Records of
Klamath County, Oregon, in ☐ book ☐ reel ☒ volume No. 2009 on page 004018
and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ (indicate which), covering the following
described real property situated in the above-mentioned county and state (*legal description of property*):

Lot 1 in Block 2, FIRST ADDITION TO LOMA LINDA HEIGHTS, according to the
official plat thereof on file in the office of the County Clerk of
Klamath County, Oregon

The undersigned 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, an action has not been commenced to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if an action has been commenced, such action has been dismissed except as permitted by ORS 86.752(7).

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

Payment due August 20, 2016 in the sum of \$1,499.39 and the same amount each month thereafter

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 following: Principal balance in the sum of \$180,125.98 together with interest thereon from October 24, 2016 at the rate of 8.5% per annum. Costs, fees, and expenses of this trust deed including the cost of title search as well as the other costs and expenses of the trustee incurred in connection with or in enforcing this obligation and trustee's and attorney's fees actually incurred. Late fees pursuant to terms of Note.

(CONTINUED)

Returned at Counter, Neal Buchanan

Notice hereby is given that the beneficiary and 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 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 of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed 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 1:30 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on July 25, 2017, at the following place: Lobby of Klamath County Court House in the City of Klamath Falls, County of Klamath, State of Oregon, 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

Alex Cruickshank
and
Gitte Jensen
2301 Linda Vista Drive
Klamath Falls, OR 97601

**Fee owner, grantor, and
parties in pocession**

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 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 trustee's and attorney fees not exceeding the amounts provided by ORS 86.778.

In construing this instrument, where the context so requires, the singular includes the plural, the word "grantor" includes any successor in interest to the 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, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, the undersigned has executed this instrument on _____; any signature on behalf of a business or other entity is made with the authority of that entity.

Neal G. Buchanan, Attorney at Law

Neal G. Buchanan
☒ TRUSTEE ☐ BENEFICIARY (INDICATE WHICH)

STATE OF OREGON, County of Klamath ss.

This record was acknowledged before me on March 17, 2017,
by Neal G. Buchanan

This record was acknowledged before me on _____

by _____

as _____

of _____



Katie Shari Terrell
Notary Public for Oregon

My commission expires April 20, 2019