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10/11/2017 10:13:24 AM

Fee: \$57.00

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed
From : David Seymour, Grantor

To AmeriTitle, Inc., Trustee

For the benefit of Philip A. Hyatt, Sr.
And Sheryl L. Hyatt, Beneficiary

AFTER RECORDING RETURN TO:
Scott D. MacArthur, Successor Trustee
125 S. 6th Street
Klamath Falls, OR 97601

NOTICE OF DEFAULT AND ELECTION TO SELL

KNOW ALL MEN BY THESE PRESENTS, that DAVID SEYMOUR, is the grantor, and AMERITITLE, INC., Is the trustee, and PHILIP A. HYATT, SR., and SHERYL L. HYATT, husband and wife, are the beneficiary under that certain trust deed dated September 23, 2016, and recorded on September 28, 2016, as Instrument No. 2016-010316 of the Mortgage (Microfilm) Records of Klamath County, Oregon. The property is described as:

EXHIBIT "A" attached hereto and incorporated herein by this reference.

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 mortgage records of the county or counties in which the above described real property is situate; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action has been dismissed.

There is a default by the grantor or other person owing an obligation, the performance of which is secured by said trust deed, or by their 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:

Failure to make monthly payments in the amount of \$798.15 per month for January 2017, June 2017 and from August 2017 to the present.

Failure to pay the real property taxes owing for the tax year 2016-2017 in the amount of \$84.74, plus interest.

Failure to pay the real property taxes owing for the tax year 2016-2017 in the amount of \$84.74, plus interest.

Failure to pay the real property taxes owing for the tax year 2016-2017 in the amount of \$143.61.

Returned at Counter

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: \$28,863.08 as of July 3, 2017, plus interest and costs.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 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 the compensation of the trustee as provided by law, and the reasonable fees of trustee's attorney.

Said sale will be held at the hour of 11:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on February 9, 2018, at the following place: 125 S. 6th Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee of said sale.

Other than as shown of record, neither the said beneficiary or the said 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 the 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
David Seymour P.O. Box 361 Adelphi, OH 43101	Default

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 said 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's fees not exceeding the amounts provided by said Section 86.753 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, 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 said trust deed,

and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

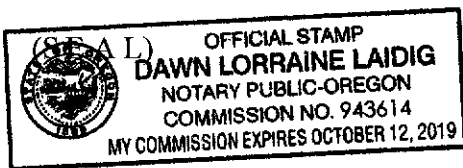
DATED: October 10, 2017.



Scott D. MacArthur
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 11th day of October,
2017, by Scott D. MacArthur.



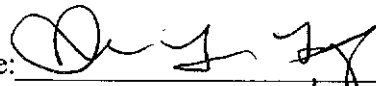
Before me: 
Notary Public for Oregon
My Commissioner Expires: 10/12/19

Exhibit "A"

PARCEL 1:

Lots 12 and 13 in Block 4 of LONE PINE ON THE SPRAGUE, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

PARCEL 2:

Lot 10 in Block 4 of LONE PINE ON THE SPRAGUE, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

PARCEL 3:

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

Lot 11 in Block 4, LONE PINE ON THE SPRAGUE, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, TOGETHER WITH an undivided 1/80 interest in and to the following:

A tract of land situated in the SW 1/4 SE 1/4 of Section 11 and the NE 1/4 of Section 14, all in Township 35 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at an iron pin on the West line of the SW 1/4 SE 1/4 of Section 11, said point begin North 0° 07' 13" West, a distance of 71.79 feet from the South one-fourth corner of said Section 11, thence South 62° 56' 13" East 572.55 feet; thence on the arc of a 130-foot radius curve to the right 24.17 feet; thence South 52° 17' 05" East 440.74 feet; thence on the arc of a 130-foot radius curve to the right 33.42 feet; thence South 37° 33' 14" East 141.09 feet; thence on the arc of a 130-foot radius curve to the right 71.41 feet; thence South 06° 04' 53" East 158.13 feet; thence on the arc of a 70-foot radius curve to the left 78.84 feet; thence South 71° 26' 17" East 279.26 feet; thence South 72° 06' 37" East 210.79 feet; thence on the arc of a 130-foot radius curve to the right 129.94 feet; thence South 14° 47' 22" East 269.56 feet; thence South 30° East to the intersection with the thread or centerline of Sprague River; thence Northwesterly along the thread of the Sprague River to its intersection with the West line of the SW 1/4 SE 1/4 of said Section 11; thence South 0° 07' 113" East along said West line to the point of beginning.