

Amerititle
MTC 216069 AM

2018-002411

Klamath County, Oregon

03/05/2018 11:23:01 AM

Fee: \$52.00



(Reserved for Recording Purposes)

NOTICE OF DEFAULT AND ELECTION TO SELL

| | |
|----------------|---------------------------|
| Account Number | County Tax Account Number |
| 3040581 | R494708 |

Reference is made to that certain Trust Deed made by Ronald L. Dorris as grantor, to Amerititle as trustee, in favor of State of Oregon, by and through the Director of Oregon Department of Veterans' Affairs, as beneficiary, dated June 13, 2006, recorded June 15, 2006, in the mortgage records of Klamath County, Oregon, M06, page 12301, covering the following described real property situated in said county and state, to wit:

(SEE LEGAL DESCRIPTION ON NEXT PAGE)

The mailing address of the above-described real property is 5543 Balsam Drive, Klamath Falls, OR 97601.

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

The principal sum of \$119,531.15 with interest thereon at the rate of 5.375 percent per annum from August 1, 2017, until paid, plus trustee's fees, attorney's fees, foreclosure costs, and sums advanced by the beneficiary pursuant to the terms of said Trust Deed.

AFTER RECORDING RETURN TO:

FORECLOSURE SECTION
OREGON DEPARTMENT OF VETERANS' AFFAIRS
700 SUMMER ST NE
SALEM OR 97301-1285

Until a change is requested, all tax statements shall be sent to the following address:

TAX SECTION
OREGON DEPARTMENT OF VETERANS' AFFAIRS
700 SUMMER ST NE
SALEM OR 97301-1285

LEGAL DESCRIPTION:

A portion of the SE1/4 NW1/4 of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East and West center Section line of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, which point is 495 feet West of the center of said Section 12; thence North and parallel to the West line of the SE1/4 of the NW1/4 of said Section 12 a distance of 660 feet; thence West and parallel to the South line of said SE1/4 of the NW1/4 of said Section 12, a distance of 165 feet; thence South and parallel to the West line of said SE1/4 of the NW1/4 of said Section 12, a distance of 660 feet; thence East on East and West center Section line of said Section 12 a distance of 165 feet to the place of beginning.

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 situated; 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 or proceeding has been instituted, such action or proceeding has been dismissed.

There is a default by the grantor or other person(s) 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:

Monthly payments of \$1,034.47 due September 1, 2017 through February 1, 2018 totaling \$6,206.82.

Late charges of \$252.00.

NSF fees totaling \$25.00.

Legal fees totaling \$575.00 as of February 26, 2018.

All totaling 7,058.82.

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 compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 1:00 o'clock, p.m., in accord with the Standard of Time established by Section 187.110, Oregon Revised Statutes, on August 8, 2018, at the following place: 316 Main St, on the steps of the County Courthouse in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date, and place fixed by the trustee for said sale.

Other than as shown of record, neither the said beneficiary nor the said trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property herein above-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

NOTICE OF DEFAULT AND ELECTION TO SELL *(Continued)*

| | |
|----------------|---------------------------|
| Account Number | County Tax Account Number |
| 3040581 | R494708 |

FC
RONALD L DORRIS
5543 BALSAM DR
KLAMATH FALLS OR 97601-9505

FC
OCCUPANTS
5543 BALSAM DR
KLAMATH FALLS OR 97601-9505

FC
BANK OF AMERICA NA
100 NORTH TRYON STREET
CHARLOTTE NC 28255

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary of the entire amount then due (*other than such portion of said principal as would not then be due had no default occurred*), together with costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date of said sale.

In construing this instrument, 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 persons owing an obligation, the performance of which is secured by said Trust Deed; the word "trustee" and "beneficiary" include their respective successors-in-interest, if any.

DATED: February 27, 2018

Don

Successor Trustee
Devon T. Thorson
Oregon Department of Veterans' Affairs
700 Summer Street NE
Salem OR 97301-1285
Phone 503-373-2235

STATE OF OREGON)
)ss.
County of Marion)

On February 27, 2018

this instrument was acknowledged before me by the above-named Devon T. Thorson, who personally appeared, and, being first duly sworn, did say that he is authorized to sign the foregoing document on behalf of the Oregon Department of Veterans' Affairs by authority of its Director.

Before me:

All Takers

Notary Public for Oregon

