

2018-006885

Klamath County, Oregon

06/07/2018 11:42:00 AM

Fee: \$92.00

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

NOTICE OF DEFAULT AND ELECTION TO SELL

TS No.: 066846-OR

Loan No.: *****6699

Legal Authority: ORS 86.752, 86.771

Reference is made to that certain trust deed (the "Deed of Trust") executed by ROBERT A MARTIN, AND JANE MARTIN, AS TENANTS BY THE ENTIRETY, as Grantor, to RECON TRUST COMPANY, N.A., as Trustee, in favor of BANK OF AMERICA, N.A., as Beneficiary, dated 11/15/2013, recorded 11/25/2013, as Instrument No. 2013-013104, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

A PARCEL OF LAND SITUATED IN THE SW 1/4 NW 1/4 OF SECTION 14, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A ½ INCH IRON PIN MARKING THE SOUTHWEST CORNER OF LOT 47 OF ELMWOOD PARK, COUNTY, OREGON; THENCE SOUTH 89° 33' 00" EAST ALONG THE SOUTH BOUNDARY OF SAID ELMWOOD PARK, 34.73 FEET TO AN OLD FENCE, THENCE SOUTH 03° 21' 42" EAST ALONG SAID OLD FENCE AND THE EXTENSION THEREOF, 193.65 FEET TO A POINT ON A CURVE ON THE NORTHERLY RIGHT OF WAY LINE OF THE U.S.R.S. KLAMATH PROJECT A-3 LATERAL; THENCE ALONG THE ARC OF A 175.99 FOOT RADIUS CURVE TO THE RIGHT (DELTA= 36° 33' 06"; LONG CHORD= SOUTH 83° 31' 47" WEST, 110.38 FEET) 112.27 FEET TO A ½ INCH IRON PIN AT THE END OF CURVE; THENCE NORTH 78° 11' 40" WEST CONTINUING ALONG SAID LATERAL RIGHT OF WAY LINE, 82.94 FEET TO A ½ INCH IRON PIN AT THE INTERSECTION OF SAID LATERAL RIGHT OF WAY LINE WITH THE EASTERLY RIGHT OF WAY LINE OF SOUTH ETNA STREET, A COUNTY ROAD; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF A 170.73 FOOT RADIUS CURVE TO THE LEFT (DELTA=53° 41' 18"; LONG CHORD= NORTH 83° 50' 39" WEST, 154.19 FEET) 159.78 FEET TO THE END OF SAID CURVE; THENCE NORTH 57° 00' 00" WEST, 14.76 FEET TO A ½ INCH IRON PIN; THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE NORTH 78° 30' 37" EAST, 239.41 FEET TO THE POINT OF BEGINNING.

APN: R572320 // R-3909-014BC-02300

Commonly known as:

**5121 S ETNA STREET
KLAMATH FALLS, OR 97603**

The current beneficiary is:

BANK OF AMERICA, N.A.

CRC NOD 06302016

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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>No.</u>	<u>Amount</u>	<u>Total:</u>
10/01/17 thru 01/01/18	4	\$1,305.65	\$5,222.60
02/01/18 thru 06/01/18	5	\$1,271.91	\$6,359.55

Late Charges:

\$322.21

Beneficiary Advances:

\$1,002.50

TOTAL REQUIRED TO REINSTATE:

\$12,906.86

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: **\$173,224.92**

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 **1:00 PM.**, standard time, as established by ORS 187.110, on **10/22/2018**, at the following place:

ON THE FRONT STEPS OF THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN STREET, 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: 6/4/2018

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

Sheila Domilos

Sheila Domilos, 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 JUN 04 2018 before me, Susana Jimenez, Notary Public, personally appeared Sheila Domilos 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 Susana Jimenez (Seal)

