

2018-008812

Klamath County, Oregon



00225848201800088120050056

07/25/2018 11:23:56 AM

Fee: \$102.00

APPOINTMENT OF  
SUCCESSOR TRUSTEE

Trust Deed from

Mary H. Newell

Grantor

Scott D. MacArthur

125 S. 6th Street

Klamath Falls, OR 97601

Trustee

William Madewell and

Gloria Madewell

Beneficiary

After recording return to:

Scott D. MacArthur, P.C.

125 S. 6th Street

Klamath Falls, OR 97601

## APPOINTMENT OF SUCCESSOR TRUSTEE

KNOW ALL MEN BY THESE PRESENTS, that MARY H. NEWELL, is the grantor, and AmeriTitle, an Oregon Corporation., is the trustee, and WILLIAM MADEWELL and GLORIA MADEWELL, as Tenants by the Entirety, are the beneficiary under that certain trust deed dated May 19, 2016, and recorded on May 31, 2016, as Instrument No. 2016-005669 of the Mortgage Records of Klamath County, Oregon.

The undersigned, who are the present beneficiaries under said trust deed desires to appoint a new trustee in the place and stead of the original trustee named above;

NOW THEREFORE, in view of the premises, the undersigned hereby appoints Scott D. MacArthur, whose address is 125 S. 6th Street, Klamath Falls, Oregon, 97601, under said trust deed, she to have all the powers of said original trustee, effective forthwith.

In construing this instrument and whenever the context hereof so required, the masculine gender includes the feminine and the neuter and the singular number includes the plural.

IN WITNESS WHEREOF, the undersigned beneficiary has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: 7/23/18, 2018.

William Madewell  
William Madewell

DATED: 7/23, 2018.

Gloria Madewell  
Gloria Madewell

STATE OF OREGON, County of Coos): ss

The foregoing instrument was signed before me this 23<sup>rd</sup> day of July, 2018, by William Madewell.

(S E A L)



Before me:

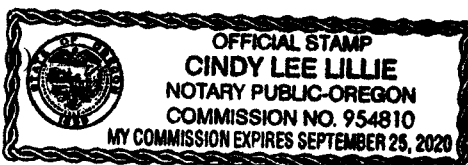
Notary Public for Oregon

My commission expires:

9/25/20STATE OF OREGON, County of Coos): ss

The foregoing instrument was signed before me this 23<sup>rd</sup> day of July, 2018, by Gloria Madewell.

(S E A L)



Before me:

Notary Public for Oregon

My commission expires:

9/25/20

Returned at Counter

**NOTICE OF DEFAULT AND ELECTION TO SELL**

RE: Trust Deed

From : Mary H. Newell, Grantor

To AmeriTitle, Inc., Trustee

For the benefit of William Madewell and  
Gloria Madewell, 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 MARY H. NEWELL, is the grantor, and AMERITITLE, INC., Is the trustee, and WILLIAM MADEWELL and GLORIA MADEWELL, as Tenants by the Entirety, are the beneficiary under that certain trust deed dated May 19, 2016, and recorded on May 31, 2016, as Instrument No. 2016-005669 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 \$787.14 per month for November 2016, and from March 2017 to the present.

Failure to pay the real property taxes owing for the tax year 2016-2017 in the amount of \$630.50, plus interest.

Failure to pay the real property taxes owing for the tax year 2017-2018 in the amount of \$626.18, plus interest.

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: \$72,376.80 as of April 30, 2018, 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 October 26, 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:

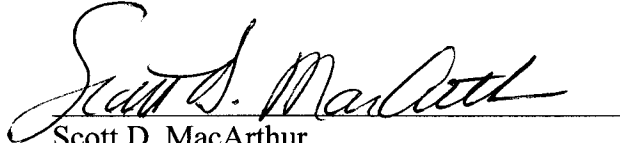
NAME AND LAST KNOWN ADDRESS	NATURE OF RIGHT, LIEN OR INTEREST
Mary H. Newell 109661 N. Highway 97 Chemult, OR 97731	Default
Mary H. Newell 12815 Kronquist Road Mead, WA 99021	Default

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,

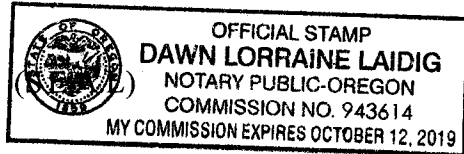
and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

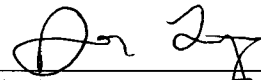
DATED: July 25, 2018.

  
\_\_\_\_\_  
Scott D. MacArthur  
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of July, 2018, by Scott D. MacArthur.



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

PARCEL 1:

Lots 2 and 3 in Block 3 of CHEMULT, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, and vacated alley lying between and adjacent to Lot 2 and the Westerly one-half of the vacated alley adjacent to Lot 3.

PARCEL 2:

Lots 1, 6 and 7 in Block 3 of CHEMULT, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, and vacated alley lying between and adjacent to Lots 1, 6 and 7.

PARCEL 3:

The Southerly 50 feet of Lots 8 and 9, Block 3, ALSO Easterly one-half vacated alley adjacent thereto lying Easterly of Lot 3, Block 3, CHEMULT, OREGON, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.