

2019-008978

Klamath County, Oregon



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08/07/2019 03:34:22 PM

Fee: \$107.00

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from Maria M. Egbert,

To AmeriTtile, Inc., as trustee

For the benefit of Edward O. Summers and  
Claire A. Summers, or the survivor thereof

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

Returned at Counter

NOTICE OF DEFAULT AND ELECTION TO SELL

KNOW ALL MEN BY THESE PRESENTS, that MARIA M. EGBERT, is the grantor, and AMERITITLE, Inc. is the trustee, and EDWARD O. SUMMERS and CLAIRE A. SUMMERS is the beneficiary under that certain trust deed dated September 30, 1999, and recorded on October 1, 1999, in book/reel/volume No. M99 at page 039302 of the Mortgage Records of Klamath County, Oregon.

The NW 1/4 and the W 1/2 of the NE 1/4 of Section 9, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM the Easterly 780 feet of the W 1/2 of the NE 1/4 of Section 9, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH the perpetual easement in the now existing lateral over the E 1/2 of the SE 1/4 and the W 1/2 of the SE 1/4 of Section 4, said township and range for the purpose of irrigating the grantees premises, and reserving the perpetual easement in the now existing laterals over the the granted premises for purposes of irrigating said E 1/2 of the SW 1/4 and the W 1/2 of the SE 1/4 of said section 4.

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:

Interest on the underlying loan in the sum of \$41,754.29

Payment of real property taxes for the tax year 2015-2016 in the amount of \$1,255.71, paid by grantee, plus interest fr July 15, 2019.

Payment of real property taxes for the tax year 2016-2017 in the amount of \$801.78, plus interest.

Payment of real property taxes for the tax year 2017-2018 in the amount of \$813.40, plus interest.

Payment of real property taxes for the tax year 2018-2019 in the amount of \$824.30, plus interest.

Monthly payments in the amount of \$5,000.00 per month payable in installments of not less than \$1,500.00 each beginning September 1, 2010

Allowing the property to become subject to a federal tax lien, Serial No. 501586208 in the sum of \$270,262.48, Recorded December 31, 2008 as Instrument No. 2008-016987, plus interest re-file Serial No. 330648618, Recorded November 7, 2018 as Instrument No. 2018-013587, plus interest

Allowing the property to become subject to an Oregon Department of Revenue Distrain Warrant, Warrant No. R054470868 in the sum of \$190,388.59, Recorded May 12, 2009 as Instrument No. 2009-006685, plus interest. Renewed on March 27, 2019 as Instrument No. 2019-003339.

Allowing the property to become subject to a federal tax lien, Serial No. 673224210 in the sum of \$86,712.35, Recorded July 13, 2010 as Instrument No. 2010-008423, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 682692710 in the sum of \$96,080.93, Recorded August 31, 2010 as Instrument No. 2010-009147, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 893405012 in the sum of \$61,912.10, Recorded September 25, 2012 as Instrument No. 2012-010585, plus interest.

Allowing the property to become subject to an Oregon Department of Revenue Distrain Warrant, Warrant No. R074245466 in the sum of \$42,247.06, Recorded March 17, 2014 as Instrument No. 2014-002230, plus interest.

Allowing the property to become subject to an Oregon Department of Revenue Distrain Warrant, Warrant No. R076092228 in the sum of \$154,243.23, Recorded September 30, 2014 as Instrument No. 2014-010141, plus interest.

Allowing the property to become subject to an Oregon Department of Revenue Distrain Warrant, Warrant No. R0801838962 in the sum of \$6,840.53, Recorded September 22, 2015 as Instrument No. 2015-010435, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 220049216 in the sum of \$3,915.16, Recorded July 18, 2016 as Instrument No. 2016-007571, plus interest.

Allowing the property to become subject to an Oregon Department of Revenue Distrain Warrant, Warrant No. L1536702080 in the sum of \$10,780.14, Recorded March 20, 2018 as Instrument No. 2018-002996, plus interest.

Allowing the property to become subject to a Klamath County, State of Oregon, Personal Property Tax Warrant, Warrant No. 2018-12 in the sum of \$883.34, Recorded March 22, 2018 as Instrument No. 2018-003138, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 325414418 in the sum of \$35,244.20, Recorded October 3, 2018 as Instrument No. 2018-012128, plus interest.

Allowing the property to become subject to a Tax Lien re-file of a federal tax lien, Serial No. 501586208 in the sum of \$383,264.07, as against Maria M. Egbert, Re-file Serial No. 330648618, Recorded November 7, 2018 as Instrument No. 2018-013587, plus interest.

Allowing the property to become subject to a Tax Lien re-file of a federal tax lien, Serial No. 544939209 in the sum of \$383,264.07, as against Mac Technology Inc., as an alter ego of Maria Egbert regarding all property owned by Mac Technology, Inc., Re-file Serial No. 332470818, Recorded November 19, 2018 as Instrument No. 2018-014051, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 336498118 in the sum of \$4,328.08, Recorded December 12, 2018 as Instrument No. 2018-014921, plus interest.

Allowing the property to become subject to a Klamath County, State of Oregon, Personal Property Tax Warrant, Warrant No. 2019-003056 in the sum of \$1,877.35, Recorded March 26, 2019 as Instrument No. 2019-003056, 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: \$236,073.65 as of May 28, 2019, plus interest.

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 December 13, 2019, at the following place: 635 Main

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
Maria M. Egbert 3104 Southside Bypass Klamath Falls, OR 97603	Default upon Trust Deed
District Director, Internal Revenue Service Attn. IRS Collection Advisory Office 915 Second Avenue M/S W245 Seattle, WA 98174	Federal Tax Lien #501586208, Recorded December 31, 2010, Vol 2008-016987, Maria M. Egbert, 3104 Southside Bypass, Klamath Falls, OR 97603
Oregon Department of Revenue, Attn: Warrant Clerk, 955 Center Street, Salem, OR 97301	Distrain Tax Warrant, Warrant No. R054470868, Recorded May 12, 2009, Vol 2009-006685. Maria M. Egbert 3104 Southside Bypass, Klamath Falls, OR 97603
District Director, Internal Revenue Service Attn. IRS Collection Advisory Office 915 Second Avenue M/S W245 Seattle, WA 98174	Federal Tax Lien #673224210, Recorded July 13, 2010, Vol 2010-008423, Maria M. Egbert, 3104 Southside Bypass, Klamath Falls, OR 97603
District Director, Internal Revenue Service Attn. IRS Collection Advisory Office 915 Second Avenue M/S W245 Seattle, WA 98174	Federal Tax Lien #682692710, Recorded August 31, 2010, Vol 2010-009147, Maria M. Egbert, 3104 Southside Bypass, Klamath Falls, OR 97603
District Director, Internal Revenue Service Attn. IRS Collection Advisory Office 915 Second Avenue M/S W245 Seattle, WA 98174	Federal Tax Lien #893405012, Recorded September 25, 2012, Vol 2012-010585, Maria M. Egbert, 3104 Southside Bypass, Klamath Falls, OR 97603
Oregon Department of Revenue, Attn: Warrant Clerk, 955 Center Street, Salem, OR 97301	Distrain Tax Warrant, Warrant No. R074245466, Recorded March 17, 2014, Vol 2014-002230. Maria M. Egbert 3104 Southside Bypass, Klamath Falls, OR 97603

Oregon Department of Revenue, Attn:  
Warrant Clerk, 955 Center Street, Salem,  
OR 97301

Distrain Tax Warrant, Warrant No.  
R076092228, Recorded September 30, 2014,  
Vol 2014-010141. Maria M. Egbert 3104  
Southside Bypass, Klamath Falls, OR 97603

Oregon Department of Revenue, Attn:  
Warrant Clerk, 955 Center Street, Salem,  
OR 97301

Distrain Tax Warrant, Warrant No.  
R08018388962, Recorded September 22,  
2015, Vol 2015-010435. Maria M. Egbert  
3104 Southside Bypass, Klamath Falls, OR  
97603

District Director, Internal Revenue Service  
Attn. IRS Collection Advisory Office  
915 Second Avenue M/S W245  
Seattle, WA 98174

Federal Tax Lien #220049216, Recorded  
July 18, 2016, Vol 2016-007571, Maria  
M. Egbert, 3104 Southside Bypass, Klamath  
Falls, OR 97603

Oregon Department of Revenue, Attn:  
Warrant Clerk, 955 Center Street, Salem,  
OR 97301

Distrain Tax Warrant, Warrant No.  
L1536702080, Recorded March 20 2018,  
2015, Vol 2018-002996. Maria M. Egbert  
3104 Southside Expy, Klamath Falls, OR  
97603

Klamath County, State of Oregon  
305 Main Street, Room 121  
Klamath Falls, OR 97601

Personal Property Tax Warrant, Warrant  
No. 2018-12, Recorded March 22, 2018,  
Vol 2018-003138. Mac Technology and Maria  
M. Egbert, Owner 3104 Southside Expy,  
Klamath Falls, OR 97603

District Director, Internal Revenue Service  
Attn. IRS Collection Advisory Office  
915 Second Avenue M/S W245  
Seattle, WA 98174

Federal Tax Lien #325414418, Recorded  
October 3, 2018, Vol 2018-012128, Maria  
M. Egbert, 3104 Southside Expy, Klamath  
Falls, OR 97603

District Director, Internal Revenue Service  
Attn. IRS Collection Advisory Office  
915 Second Avenue M/S W245  
Seattle, WA 98174

Federal Tax Lien re-file original #501586208  
Re-File #330648618, Recorded November 7,  
2018, Vol 2018-013587, Maria M. Egbert,  
3104 Southside Bypass, Klamath Falls, OR  
97603

District Director, Internal Revenue Service  
Attn. IRS Collection Advisory Office  
915 Second Avenue M/S W2452018,  
Seattle, WA 98174

Federal Tax Lien re-file original #544939209  
Re-File #332470818, Recorded November 19,  
Vol 2018-014051, Mac Technology, Inc., as  
alter ego of Maria M. Egbert, 3104 Southside  
Bypass, Klamath Falls, OR 97603

District Director, Internal Revenue Service  
Attn. IRS Collection Advisory Office  
915 Second Avenue M/S W245  
Seattle, WA 98174

Federal Tax Lien #33649118, Recorded  
December 12, 2018, Vol 2018-014921, Maria  
M. Egbert, 3104 Southside Expy, Klamath  
Falls, OR 97603

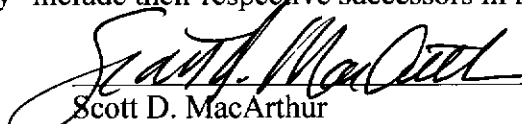
Klamath County, State of Oregon  
305 Main Street, Room 121  
Klamath Falls, OR 97601

Personal Property Tax Warrant, Warrant  
No. 2019-003056, Recorded March 26, 2019,  
Vol 2019-003056. Mac Technology and Maria  
M. Egbert, Owner 3104 Southside Expy,  
Klamath Falls, OR 97603

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.

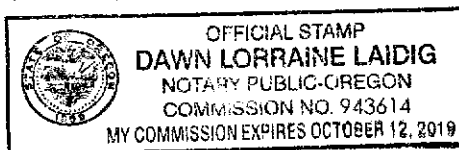
DATED: August 7, 2019.

  
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Scott D. MacArthur  
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of August, 2019, by Scott D. MacArthur.

(SEAL)



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