

2021-003702

Klamath County, Oregon

03/11/2021 03:09:01 PM

Fee: \$92.00

NOTICE OF DEFAULT AND ELECTION TO SELL

Original Beneficiary Name:
CITIFINANCIAL, INC.

Current Beneficiary Name:
Wilmington Savings Fund Society, FSB, not in its individual capacity,
but solely as indenture trustee of Citigroup Mortgage Loan Trust 2017-RP1

Trustor Name:
RODNEY W. CHILDERS

Original Trustee Name:
NONE LISTED

Original trust deed recorded:
12/12/2007, as Instrument No. 2007-020785

TS NO.: 18-52643

After recording return to:
ZBS Law, LLP
5 Centerpointe Dr., Suite 400
Lake Oswego, OR 97035
Phone: (503) 946-6558

NOTICE OF DEFAULT AND ELECTION TO SELL

RODNEY W. CHILDERS was the grantor, to NONE LISTED was the trustee, and CITIFINANCIAL, INC., was the beneficiary, of that certain deed of trust (hereafter referred to as the Trust Deed) dated 11/30/2007, recorded 12/12/2007, as Instrument No. 2007-020785, in the Mortgage Records of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, to wit: **LOTS 16 AND 17 IN BLOCK 1 OF RAINBOW PARK ON THE WILLIAMSON, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

The street address or other common designation, if any for the real property described above is purported to be:
41763 ROYAL COACHMAN, CHILOQUIN, OREGON 97624

The Tax Assessor's Account ID for the Real Property is purported to be: **R-3407-022DC-00100 / 192883 & R-3407-022DC-00600 / 192865**

The undersigned successor trustee, ZBS Law, LLP fka Zieve, Brodnax & Steele, LLP 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 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 Trust Deed, or, if such action has been instituted, such action has been dismissed except as permitted law.

Notice is hereby given by the present and successor trustee, ZBS Law, LLP fka Zieve, Brodnax & Steele, LLP pursuant to the written instructions of the present beneficiary, that the beneficiary by reason of the grantor's default, and that ZBS Law, LLP fka Zieve, Brodnax & Steele, LLP as Trustee by virtue of his powers under ORS 86.752(3) and by virtue of the grantors default, has/have elected and hereby elects to foreclose the above referenced Trust Deed by advertisement and sale pursuant to ORS 86.705 to 86.815 in order to satisfy the grantor's obligations secured by the Trust Deed. All right, title, and interest in the said described property which the grantors had, or had power to convey, at the time of execution of the Trust Deed, together with any interest the grantors or their successors in interest acquired

after execution of the Trust Deed shall be sold at public auction to the highest bidder for cash to satisfy the obligations secured by the Trust Deed and the expenses of sale, including the compensation of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

There is a default by grantor or other person owing an obligation, performance of which is secured by the Trust Deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

Delinquent Payments:

<u>FROM</u>	<u>THRU</u>	<u>NO. PMT</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>TOTAL</u>
5/1/2018	3/26/2021	35	3.55	\$734.40	\$25,704.00
Beneficiary Advances:					
Accrued Late Charges					\$200.00
NSF Fees					\$140.00
Suspense					(\$187.86)
Corporate Advance					\$5,057.17
TOTAL FORECLOSURE COST:					\$622.50
TOTAL REQUIRED TO CURE:					<u>\$31,535.81</u>

Please note the amounts stated herein are subject to confirmation and review and are likely to change during the next 30 days. Please contact ZBS Law, LLP fka Zieve, Brodnax & Steele, LLP to obtain a "reinstatement" and or "payoff" quote prior to remitting funds.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the Trust Deed due and payable. The amount required to discharge this lien in its entirety as of 3/26/2021 is: \$158,329.01

The monthly installment of principal and interest which became due on 5/1/2018, late charges, and all subsequent monthly installments of principal and interest.

You are responsible to pay all payments and charges due under the terms and conditions of the loan documents which come due subsequent to the date of this notice, including, but not limited to, foreclosure trustee fees and costs, advances and late charges.

Furthermore, as a condition to bring your account in good standing, you must provide the undersigned with written proof that you are not in default on any senior encumbrance and provide proof of insurance.

Nothing in this notice should be construed as a waiver of any fees owing to the beneficiary under the deed of trust, pursuant to the terms and provisions of the loan documents.

Nothing in this Notice of Default should be construed as a waiver of any fees owing to the beneficiary under the Deed of Trust, pursuant to the terms and provisions of the loan documents.

The Sale will be held at the hour of **10:00 AM**, in accord with the standard of time established by ORS 187.110 and pursuant to ORS 86.771(7) on **7/21/2021**, at the following designated place:

On the front steps of the Circuit Court, 316 Main Street, in the City of Klamath Falls, County of Klamath, OR 97601

Other than as shown of record, neither the beneficiary nor the 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 grantor or of any lessee or other person in possession of or occupying the property, except: **NONE**

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 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 of the Trust Deed, 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 trust deed, together with trustee's and attorney fees not exceeding the amounts provided by ORS 86.778.

The mailing address of the trustee is
ZBS Law, LLP fka Zieve, Brodnax & Steele, LLP
5 Centerpointe Dr., Suite 400
Lake Oswego, OR 97035
Phone: (503) 946-6558

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.

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 this grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 3/10/2021

ZBS Law, LLP fka Zieve, Brodnax & Steele, LLP

By: 

Jeffrey A. Myers, Esq., OSB#094561


ZBS Law, LLP fka Zieve, Brodnax & Steele, LLP

Authorized to sign on behalf of the trustee

State of OREGON

County of CLACKAMAS

I certify that this document was signed or attested before me on March 10, 2021 by Jeffrey A. Myers, Esq. on behalf of ZBS Law, LLP fka Zieve, Brodnax & Steele, LLP.



NOTARY NAME: AMBER LEIGH LABRECQUE

NOTARY PUBLIC: STATE OF OREGON

COMMISSION NO: 991886

MY COMMISSION EXPIRES: SEPTEMBER 22, 2023

