

2022-010882

Klamath County, Oregon



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09/07/2022 03:48:05 PM

Fee: \$92.00

**NOTICE OF DEFAULT
AND ELECTION TO SELL**

Re: Trust Deed recorded as Instrument No.
2016-007501 in the records of Klamath County,
Oregon

Grantor(s): Daniel Walker and Donna Walker,
as tenants by the entirety

Original Beneficiary(ies): Donald Ray Austin

Current Beneficiary: Jerome Noah Austin

Original Trustee: AmeriTitle, an Oregon
Corporation

Current Trustee: Nathan J. Ratliff, OSB
#034269

After recording return to:
620 Main Street
Klamath Falls, OR 97601

Returned at Counter

Daniel Walker and Donna Walker, as tenants by the entirety, were the Grantor(s) on that certain Trust Deed, to AmeriTitle, an Oregon Corporation, as Trustee in favor of Donald Ray Austin as Beneficiary dated July 12, 2016, and recorded July 15, 2016, in the records of Klamath County, Oregon covering the legal property described as follows, to wit:

**Lot 3, Block 19, KLAMATH FALLS FOREST ESTATES, HIGHWAY 66, PLAT
NO. 1, according to the official plat thereof on file in the office of the County Clerk
of Klamath County, Oregon.**

County Tax Account(s)/Parcel Nos.: 391392/3711-022C0-04100

Commonly known as 31862 SAILFISH LN, Bonanza, OR 97623

The undersigned hereby certifies that no assignments of the Trust Deed by the Trustee, Nathan J. Ratliff, OSB #034269, or by the Beneficiary, Jerome Noah Austin, 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 located. 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 by law.

There is a default by Granter(s) 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:

Payments of \$347.54 from October 15, 2020, until the present

By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable totaling \$39,510.29, said sums being the following:

1. \$31,816.12 in remaining principal balance
2. \$3,770.83 in interest as of September 6, 2022, accruing on the principal balance from September 15, 2020, until paid
3. \$388.24 in late charges
5. \$851.51 in escrow advances
7. \$408.59 in foreclosure fees and costs
8. \$2,275.00 in attorney fees and costs
9. Together with additional title expenses, costs, Trustees fees and attorney fees incurred hereinafter by reason of said default and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest there in.

Notice hereby is given that the Beneficiary and Trustee, by reason of default, have elected and do hereby elect to foreclose the Trust Deed 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 of the execution by Grantor of the Trust Deed, together with any interest Grantor or Grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the 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 attorneys.

The Sale will be held at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110, on Monday, February 6, 2023 at the following place: On the entrance steps to the Klamath County Circuit Court, 316 Main St, Klamath Falls, 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), together with costs, Trustee's and attorney's fees, 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, at any time prior to five days before the date last set for sale.

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 singular gender includes the plural, the word "Grantor" includes any

successor in interest to the Grantor as well as any other person owing an obligation, performance of which is secured by the Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated: Sept 7, 2022

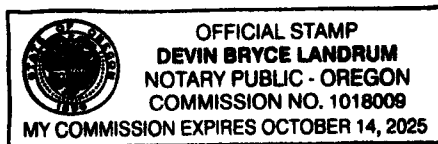


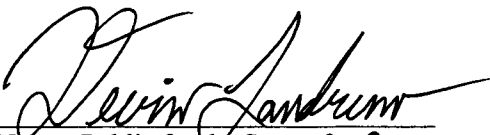
Nathan J. Rathliff, OSB # 034269

State of Oregon }
County of Klamath } ss

On this 7th day of September, 2022, before me, Devin Landrum a Notary Public in and for said state, personally appeared Nathan S. Rathliff known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.





Notary Public for the State of Oregon
Residing at: Klamath Falls
Commission Expires: 10-14-25

To the extent your original obligation was discharged or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation.