

**NOTICE OF DEFAULT AND ELECTION TO SELL**

**Original Beneficiary Name:**

Mortgage Electronic Registration Systems, Inc. ("MERS"),  
as designated nominee for QUICKEN LOANS INC.,  
beneficiary of the security instrument, its successors and assigns

**Current Beneficiary Name:**

U.S. BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE OF THE FW SERIES I TRUST

**Trustor Name:**

LUANNE D DUNNING AND STACEY E ALLEN, WIFE AND HUSBAND

**Original Trustee Name:**

PACIFIC NORTHWEST COMPANY OF OREGON, INC.

**Original trust deed recorded:**

6/30/2006, as Instrument No. M06-13381

**TS NO.: 23-67015**

**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**

LUANNE D DUNNING AND STACEY E ALLEN, WIFE AND HUSBAND was the grantor, to PACIFIC NORTHWEST COMPANY OF OREGON, INC. was the trustee, and Mortgage Electronic Registration Systems, Inc. ("MERS"), as designated nominee for QUICKEN LOANS INC., beneficiary of the security instrument, its successors and assigns, was the beneficiary, of that certain deed of trust (hereafter referred to as the Trust Deed) dated 6/30/2006, recorded 6/30/2006, as Instrument No. M06-13381, modified by Loan Modification Agreement recorded as Instrument 2018-015217 and recorded on 12/21/2018, in the Mortgage Records of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, to wit:

**PARCEL 1**

**THE S1/2 OF THE N1/2 OF THE SW1/4 OF SECTION 8, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.**

**EXCEPTING THEREFROM:**

**Beginning at the Southwest corner of said N ½ SW ¼; thence North along the West line of Section 8, a distance of 396 feet; thence East parallel to the South line of Section 8, a distance of 660 feet; thence South parallel to the West line of said Section 8, a distance of 396 feet; thence West along the South line of said N ½ SW ¼, a distance of 660 feet to the Point of Beginning.**

**Parcel 2**

**A portion of the N ½ SW ¼ of Section 8, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:**

**Beginning at the Southwest corner of said N ½ SW ¼, thence North along the West line of Section 8, a distance of 396 feet; thence East parallel to the South line of said Section 8, a distance of 660 feet; thence South parallel to the West line of said Section 8, a distance of 396 feet; thence West along the South line of said N ½ SW ¼ a distance of 660 feet to the Point of Beginning.**

**TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS OF RECORD:**

A strip of land 20 feet in width lying parallel with and immediately adjacent to the Easterly boundaries of Lot 17 and the E ½ of the SE ¼ of Section 1 and the NE ¼ of NE ¼ and the Northerly 7 rods of the SE ¼ of the NE ¼ of Section 12, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

A strip of land, 20 feet in width lying parallel with and immediately adjacent to the Northerly boundaries of Lots 17 and 19 in Section 12, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, extending from the Easterly boundary of right of way of the Bonanza Malin Highway to the Easterly boundary line of said Section 1 a distance of approximately.

A 30 foot easement along the North boundary of the S ½ of Section 7, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

(Affects Parcel 1)

A non-exclusive easement 10 feet wide for the purpose of installing and maintaining a water pipeline, recorded in Volume M77, Page 22383 and also in Volume M77, Page 22385, Microfilm Records of Klamath County, Oregon.

Also a non-exclusive easement to use a strip of land 30 feet wide along the West side of the N ½ of the SW ¼ of Section 8, as recorded in Volume M77, Page 22379 and also in Volume M77, Page 22381, Microfilm Records of Klamath County, Oregon.

(Affects Parcel 2)

The street address or other common designation, if any for the real property described above is purported to be:  
**11489 HARPOLD ROAD, KLAMATH FALLS, OREGON 97603-9662**

The Tax Assessor's Account ID for the Real Property is purported to be: **627110 / 808683**

The undersigned successor trustee, ZBS Law, 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 pursuant to the written instructions of the present beneficiary, that the beneficiary by reason of the grantor's default, and that ZBS Law, 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>       |
|-------------------------|-------------|----------------|-------------|---------------|--------------------|
| 4/1/2023                | 3/8/2024    | 12             | 4           | \$965.36      | \$11,584.32        |
| Accrued Late Charges    |             |                |             |               | \$946.10           |
| Corporate Advance       |             |                |             |               | \$1,400.00         |
| TOTAL FORECLOSURE COST: |             |                |             |               | \$1,224.00         |
| TOTAL REQUIRED TO CURE: |             |                |             |               | <u>\$15,154.42</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 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 to date is: \$207,070.26

The monthly installment of principal and interest which became due on 4/1/2023, 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 **7/19/2024**, 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  
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: 3/7/2024

ZBS Law, LLP

By:

Jeffrey A. Myers, Esq., OSB#094561

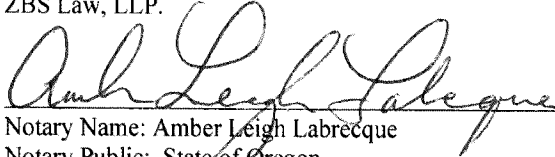
ZBS Law, LLP

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 3/7/2024 by Jeffrey A. Myers, Esq. on behalf of ZBS Law, LLP.



Notary Name: Amber Leigh Labrecque

Notary Public: State of Oregon

Commission No. 1040536

Commission Expires: September 11, 2027

Personally known ☒ or produced identification

Type of identification produced

