

**NOTICE OF DEFAULT
AND ELECTION TO SELL**

RE: Trust Deed from:
BARBARA MACKAY AND JOHN MACKAY
WITH RIGHTS OF SURVIVORSHIP, Grantor

To:
Nathan F. Smith, Esq., OSB #120112

After recording return to:

Malcolm & Cisneros, A Law Corporation
Attention: Nathan F. Smith, Esq., OSB
#120112
c/o TRUSTEE CORPS
17100 Gillette Ave
Irvine, CA 92614

TS No. OR07000078-24-1

APN 400159 || 583416

TO No 3085108

Reference is made to that certain Trust Deed made by BARBARA MACKAY AND JOHN MACKAY WITH RIGHTS OF SURVIVORSHIP as Grantor, to AMERITITLE as Trustee, in favor of EAGLE HOME MORTGAGE LLC as original Beneficiary, dated as of November 10, 2008 and recorded November 17, 2008 in the records of Klamath County, Oregon as Instrument No. 2008-015466 and the beneficial interest was assigned to **LONGBRIDGE FINANCIAL LLC, ITS SUCCESSORS OR ASSIGNS** and recorded February 21, 2024 as Instrument Number 2024-001354 covering the following described real property situated in the above-mentioned county and state, to wit:

APN: 400159 || 583416

PLEASE SEE ATTACHED LEGAL DESCRIPTION EXHIBIT "A"

The undersigned hereby certifies that no assignments of the Trust Deed by the Trustee, Nathan F. Smith, Esq., OSB #120112, or by the Beneficiary, **Longbridge Financial, LLC**, 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 by ORS 86.752(4).

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: **Failed to pay the principal balance which became all due and payable based upon the death of all mortgagors, pursuant to paragraph (7)(A)(I) under the Note, and pursuant to paragraph (9)(A)(I) of the Deed of Trust.**

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:

1. Principal balance of **\$161,785.72**
2. **\$49,961.07** in Unpaid Interest through July 8, 2024.
3. **\$5,670.00** in Service Fees.
4. **\$120.00** in Inspections.
5. **\$1,000.00** in Appraisals.
6. **\$10,972.45** in MIP.
7. **\$1,530.00** in Attorney Fees.
8. **\$1,400.00** in Unpaid Attorney Costs.

9. Together with title expenses, costs, Trustees fees and attorney fees incurred here in 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 compensations 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 **November 25, 2024** at the following place: **inside the main lobby of the Klamath County Courthouse, 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:

**Eileen Scholtz, , PERSONAL REPRESENTATIVE OF THE ESTATE OF BARBARA MACKAY
28351 Yonna Wood Road, Bonanza, OR 97623**

**ESTATE OF BARBARA EILEEN MACKAY
28351 YONNA WOOD RD, BONANZA, OR 97623**

**ESTATE OF JOHN MACKAY
28351 YONNA WOOD RD, BONANZA, OR 97623**

**HEIRS AND DEVISEES OF BARBARA EILEEN MACKAY
28351 YONNA WOOD RD, BONANZA, OR 97623**

**HEIRS AND DEVISEES OF JOHN MACKAY
28351 YONNA WOOD RD, BONANZA, OR 97623**

**BARBARA MACKAY
28351 YONNA WOOD RD, BONANZA, OR 97623**

**BARBARA EILEEN MACKAY
28351 YONNA WOOD RD, BONANZA, OR 97623**

**JOHN MACKAY
28351 YONNA WOOD RD, BONANZA, OR 97623**

**OCCUPANT
28351 YONNA WOOD RD, BONANZA, OR 97623**

Longbridge Financial LLC
1 International Blvd. Suite 410, Mahwah, NJ 07495

Oregon Department of Human Services
PO Box 14021, SALEM, OR 97309-5024

Secretary of Housing and Urban Development
451 7th St. SW, Washington, DC 20410

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, 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: 07/11/2024


By: Nathan F. Smith, Esq., OSB #120112
Successor Trustee


A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

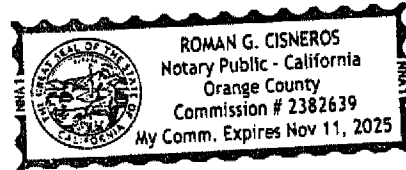
STATE OF CALIFORNIA
COUNTY OF ORANGE

On 07/11/2024 before me, ROMAN G. CISNEROS, Notary Public, personally appeared NATHAN F. SMITH, ESQ., who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of CALIFORNIA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary Public Signature



Malcolm & Cisneros, A Law Corporation
Attention: Nathan F. Smith, Esq., OSB #120112
c/o TRUSTEE CORPS
17100 Gillette Ave, Irvine, CA 92614
949-252-8300

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. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

EXHIBIT "A"
LEGAL DESCRIPTION

The NE1/4 of the NE1/4 of Section 31, Township 37 South, Range 11 East of the Willamette Meridian, Klamath County, EXCEPTING THEREFROM the following:

A tract of land situated in the NE1/4 NE1/4 of Section 31, Township 37 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, being Parcel 1 of Major Partition No. 54-82, more particularly described as follows:

Beginning at the E1/16 corner common to Section 30 and 31 of said township and range; thence South 89 degrees 59' 16" East, along the North line of said section 31, also being along the Southerly boundary of Block 2, of Yonna Woods-Tract 1009, a duly recorded subdivision, 346.17 feet to the Southeast corner of Lot 11, Block 2 of said Tract 1009; thence South 00 degrees 34' 53" East, parallel to the West line of said NE1/4 NE1/4, 629.17 feet; thence North 89 degrees 59' 16" West 346.17 feet to said West line; thence North 00 degrees 34' 53" WEST 629.17 feet to the point of beginning, with bearings based on said tract 1009 (also being the bearings of said Partition No. 54-82).



**CERTIFICATE OF COMPLIANCE
STATE OF OREGON
FORECLOSURE AVOIDANCE PROGRAM**

AFTER RECORDING RETURN TO:

Christi Pressley
For Malcolm & Cisneros, For Celink (Servicer)
2112 Business Center Drive
Irvine, CA 92612

6/18/2024

Grantor:	BARBARA MACKAY AND JOHN MACKAY WITH RIGHTS OF SURVIVORSHIP
Beneficiary:	Longbridge Financial, LLC
Property Address:	28351 YONNA WOOD RD BONANZA, OR 97623
Instrument / Recording No. Date / County	Instrument Number: 2008-015466 Recording Number: 2008-015466 Loan Number: [REDACTED] Recording date: 11/17/2008 County: Klamath
Case Number	BI-240429-801

1. The Service Provider hereby certifies that:

- ☐ The beneficiary and/or its agent complied with the requirements of ORS 86.726, 86.729 and 86.732; or
- ☒ The grantor did not pay the required fee by the deadline.

2. On this date, I mailed the original certificate to the beneficiary and provided a copy to the grantor and the Attorney General electronically or by mail.

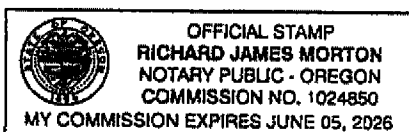
DATED this 18 day of June, 2024.

[Signature]
Authorized Representative, Oregon Foreclosure Avoidance Program

STATE OF OREGON)
) ss.
County of Multnomah)

The foregoing instrument was acknowledged before me on June 18th, 2024, by Jesse Clift
[Print Name]

as an Authorized Representative of the Oregon Foreclosure Avoidance Program Service Provider, Mediation Case Manager.



[Signature]
Notary Public - State of Oregon
My Commission Expires: 6/5/26