2024-009878

Klamath County, Oregon 11/13/2024 09:10:01 AM

Fee: \$107.00

AFTER RECORDING RETURN TO: Willard L. Ransom, Successor Trustee SORENSON, RANSOM & FERGUSON, LLP 133 NW D STREET GRANTS PASS, OR 97526

NOTICE OF DEFAULT AND ELECTION TO SELL

1. DESCRIPTION OF TRUST DEED. This notice refers to that certain trust deed executed by KRISTINA MERLINI and DANIEL JAMES MARTIN, as Grantor; to PACIFIC TRUST DEED SERVICING CO., INC., AN OREGON CORPORATION, as Trustee, in favor of ROBERT BURSTEIN, TRUSTEE, ROBERT BURSTEIN RETIREMENT PLAN AS TO AN UNDIVIDED 35.88% INTEREST; WANDERLUST ENTERPRISES, LLC, AN OREGON LIMITED LIABILITY COMPANY AS TO AN UNDIVIDED 14.12% INTEREST; JAMES R. GLAZE AND MEGAN R. GLAZE, TRUSTEES, GLAZE FAMILY TRUST DATED NOVEMBER 22, 2011 AS TO AN UNDIVIDED 25% INTEREST; AND NEIL A. HARRIS AND LORENA M. HARRIS, TRUSTEES, HARRIS FAMILY TRUST DTD 7/27/1995 AS TO AN UNDIVIDED 25% INTEREST, as Beneficiary, dated April 22, 2024, recorded May 6, 2024, in the Official Records of Klamath County, Oregon, as Document Number 2024-003516, covering the following described real property at 435 Telephone Flat Road, Chiloquin, situated in said county and state, to-wit: Real property in the County of Klamath, State of Oregon, described as follows: A parcel of land situated in the NW1/4 NW1/4 of Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

to-wit: Real property in the County of Klamath, State of Oregon, described as follows: A parcel of land situated in the NW1/4 NW1/4 of Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 2 inch pipe marking the Northwest corner of Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon; thence South 0° 38' East along the section line a distance of 442.3 feet; thence East 660.0 feet to an iron pipe, thence South 0° 38' East parallel to the West section line a distance of 330.0 feet to the True Point of Beginning; thence West parallel to the North section line 330.0 feet, thence South 0° 38' East 330.0 feet to a point on the South line of parcel described in Deed Volume 328, page 102, Deed Records of Klamath County, Oregon; thence East along said South line a distance of 330.0 feet to an iron pipe; thence North 0° 38' West parallel to the West section line 330.0 feet to the True Point of Beginning. NOTE: This legal description was created prior to January 1, 2008.

The undersigned hereby certifies that no assignments of the beneficial interest in the trust deed and no appointments of successor trustee have been made by the trustee or by the beneficiary, other than by instruments recorded in the official records of each county where the above-described real property is situated. There is no pending action that has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed.

- 2. DEFAULTS. The grantor is in default in grantor's obligations which are secured by the trust deed. The default pertains to those provisions in the trust deed which authorize sale in the event of default. The default for which the election to foreclose is made is grantor's failure to pay or perform the following obligations: failure to pay the monthly installments of \$1,367.86 each due on the 6th day of each month, currently unpaid for July 6, 2024 through October 6, 2024, inclusive, for a total of 4 unpaid installments.
- 3. DECLARATION OF BALANCE DUE. By reason of said default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable. The sums now owing are the following, to-wit: The entire unpaid principal balance of One Hundred Seventy and No/100 Dollars (\$170,000.00), together with interest thereon at the rate of nine percent (9%) per annum from June 8, 2024 until paid; together with beneficiary's legal fees and costs incurred in enforcement of the obligation.
- 4. ELECTION TO FORECLOSE. Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.815. The interest in the above-described property which the grantor had, or had the power to convey, at the time of the execution by the grantor of the trust deed, together with any interest the grantor or the grantor's successors-in-interest acquired after the 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, the expenses of the sale, including the compensation of the trustee as provided by law, and the reasonable fees of trustee's attorneys.
- 5. TIME, DATE AND PLACE OF SALE. The sale will be held at the hour of 2 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on Wednesday, April 23, 2025, at the following place: front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Klamath County, Oregon.

6. UNRECORDED CLAIM OF LIEN OR INTEREST. 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 which lien or interest is 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, other than as shown of record, except the following:

NAME AND LAST KNOWN ADDRESS None

NATURE OF RIGHT, LIEN, OR INTEREST

- 7. RIGHT TO CURE DEFAULT. 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 or trust deed. In addition to paying the sums in default or tendering the performance necessary to cure the default, such party curing the default must pay all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee and attorney fees not exceeding the amounts provided by ORS 86.778.
- 8. 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.
- **9. GRAMMATICAL CHANGES IMPLIED.** In this notice, the masculine gender shall include both the feminine and the neuter; the singular shall include 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.
- 10. FORECLOSURE AVOIDANCE MEDIATION EXEMPTION. Concurrently herewith the beneficiary is submitting a claim of exemption affidavit to the Office of the Attorney General of Oregon, in compliance with ORS 86.726(1)(b). Pursuant to 86.752(4)(b) a copy of the affidavit with which the beneficiary claimed the exemption is attached hereto.

DATED: November 12, 2024.

Willard L. Ransom, Trustee

Mailing Address of Trustee: 133 NW D Street Grants Pass, OR 97526

STATE OF OREGON, County of Josephine) ss. November 12, 2024.

The foregoing instrument was acknowledged before me by Willard L. Ransom, as Trustee.

OFFICIAL STAMF
JANINE EVANS BAIRC
NOTARY PUBLIC - OREGON
COMMISSION NO. 1034533

Notary Public for Oregon
My Commission Expires: 3-8-2027

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

SORENSON, RANSOM & FERGUSON, LLP ATTORNEYS AT LAW 133 NW "D" STREET GRANTS PASS, OREGON 97526 PHONE: (541) 476-3883 FAX: (541) 474-4495

Oregon Foreclosure Avoidance Program BENEFICIARY EXEMPTION AFFIDAVIT

BENEFICIARY: JAMES R. GLAZE AND MEGAN R. GLAZE, TRUSTEES, GLAZE FAMILY TRUST DATED NOVEMBER 22, 2011 AS TO AN UNDIVIDED 25% INTEREST.

The undersigned, JAMES R. GLAZE AND MEGAN R. GLAZE, TRUSTEES, GLAZE FAMILY TRUST DATED NOVEMBER 22, 2011, being first duly sworn, deposes and states that:

This affidavit is submitted for a claim of exemption to the Office of the Attorney General of Oregon under Oregon Laws 2013, Chapter 304, §2(1)(b).

1.	The above named individual or entity to commence deed by advertisement and sale uprevious calendar year: Subsidiary or agent, during the properties to foreclose a residential trust decounder ORS 88.010.	the followinder ORS 8 The evious cale	ng number of act 66.735 or by suit Beneficiary, or t ndar year, did no	ions to foreclose a under ORS 88.01 the Beneficiary's a of commence more	a residential trust 0, during the ffiliate, e than 30 actions	
2.	The undersigned further certifies that they are the individuals claiming exemption from requirements established under Oregon Laws 2013, Chapter 304; ORS 86.726.					
DATEI): <u>/0//8</u> , 2024		DATED: 10/19		_, 2024.	
			Megar.	glage		
James	R. Glaze, Trustee		Megan/R. Glaze.	Trustee		
	Family Prust dated November 22,	lle.		ust dated Noveml	per 22, 2011	
STATE OF OREGON, County of Josephine) ss. Oct. 18 , 2024.						
The foregoing instrument was acknowledged before me by James R. Glaze and Megan R. Glaze, as Trustees of the Glaze Family Trust dated November 22, 2011.						
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OFFICIAL STAMP
PAMELA COLLINS CLARK

NOTARY PUBLIC-OREGON

COMMISSION NO. 1045593 MY COMMISSION EXPIRES FEBRUARY 25, 2028 (Seal)

See Oregon Department of Justice Form 300

Notary Public for Oregon

My commission expires:

http://www.doj.state.or.us/consumer/pages/foreclosure_mediation_forms.aspx

See Oregon Department of Justice Form 300

http://www.doj.state.or.us/consumer/pages/foreclosure mediation forms.aspx

Oregon Foreclosure Avoidance Program BENEFICIARY EXEMPTION AFFIDAVIT

BENEFICIARY: WANDERLUST ENTERPRISES, LLC, AN OREGON LIMITED LIABILITY COMPANY AS TO AN UNDIVIDED 14.12% INTEREST.

The undersigned, JANE M. BURSTEIN, MANAGER OF WANDERLUST ENTERPRISES, LLC, AN OREGON LIMITED LIABILITY COMPANY, being first duly sworn, deposes and states that:

This affidavit is submitted for a claim of exemption to the Office of the Attorney General of Oregon under Oregon Laws 2013, Chapter 304, §2(1)(b).

or entity to commence the following number advertisement and sale under ORS 86.735 or calendar year:	nced or caused an affiliate or agent of the individual of actions to foreclose a residential trust deed by by suit under ORS 88.010, during the previous ary, or the Beneficiary's affiliate, subsidiary or agent, mmence more than 30 actions to foreclose a alle under ORS 86.752, or by suit under ORS 88.010.				
2. The undersigned further certifies that she is to established under Oregon Laws 2013, Chapte	he individual claiming exemption from requirements r 304; ORS 86.726.				
DATED: 10 21 2024.					
WANDERLUST ENTERPRISES, LLC, AN OREGON LIMITED LIABILITY COMPANY By: Jane M. Burstein Its: Manager					
STATE OF OREGON, County of Josephine) ss					
The foregoing instrument was acknowledged before me by Jane M. Burstein, as Manager of Wanderlust Enterprises, LLC, an Oregon Limited Liability Company.					
Notary Public for Oregon My commission expires: 11/30/26	OFFICIAL STAMP KIMBERLY ANN WALKER NOTARY PUBLIC - OREGON COMMISSION NO. 1031381 MY COMMISSION EXPIRES NOVEMBER 30, 2026 (Seal)				

Oregon Foreclosure Avoidance Program BENEFICIARY EXEMPTION AFFIDAVIT

BENEFICIARY: NEIL A. HARRIS AND LORENA M. HARRIS, TRUSTEES, HARRIS FAMILY TRUST DTD 7/27/1995 AS TO AN UNDIVIDED 25% INTEREST.

The undersigned, NEIL A. HARRIS AND LORENA M. HARRIS, TRUSTEES, HARRIS FAMILY TRUST DTD 7/27/1995, being first duly sworn, depose and state that:

This affidavit is submitted for a claim of exemption to the Office of the Attorney General of Oregon under Oregon Laws 2013, Chapter 304, §2(1)(b).

1.	The above named individual or entity commenced or caused an affiliate or agent of the individual or entity to commence the following number of actions to foreclose a residential trust deed by advertisement and sale under ORS 86.735 or by suit under ORS 88.010, during the previous calendar year: The Beneficiary, or the Beneficiary's affiliate, subsidiary or agent, during the previous calendar year, did not commence more than 30 actions to foreclose a residential trust deed by advertisement and sale under ORS 86.752, or by suit under ORS 88.010.				
2.	The undersigned further certifies that they are the individuals claiming exemption from requirements established under Oregon Laws 2013, Chapter 304; ORS 86.726.				
DATE	D: 10.18.24, 2024.	DATED: 10.18.24, 2024.			
	Harris, Vrustee Family Trust dtd 7/27/1995	Lorena M. Harris, Trustee Harris Family Trust dtd 7/27/1995			
STATE OF OREGON, County of Josephine) ss, 2024.					
The foregoing instrument was acknowledged before me by Neil A. Harris and Lorena M. Harris, as Trustees of the Harris Family Trust dtd 7/27/1995.					
, -	Public for Oregon minission expires: 1/30/26	OFFICIAL STAMP KIMBERLY ANN WALKER NOTARY PUBLIC - OREGON COMMISSION NO. 1031381 MY COMMISSION EXPIRES NOVEMBER 30, 2026 (Seal)			

See Oregon Department of Justice Form 300

http://www.doj.state.or.us/consumer/pages/foreclosure_mediation_forms.aspx

Oregon Foreclosure Avoidance Program BENEFICIARY EXEMPTION AFFIDAVIT

BENEFICIARY: ROBERT BURSTEIN, TRUSTEE, ROBERT BURSTEIN RETIREMENT PLAN AS TO AN UNDIVIDED 35.88% INTEREST.

The undersigned, ROBERT BURSTEIN, TRUSTEE, ROBERT BURSTEIN RETIREMENT PLAN, being first duly sworn, deposes and states that:

This affidavit is submitted for a claim of exemption to the Office of the Attorney General of Oregon under Oregon Laws 2013, Chapter 304, §2(1)(b).

- 2. The undersigned further certifies that he is the individual claiming exemption from requirements established under Oregon Laws 2013, Chapter 304; ORS 86.726.

DATED: 10-21-2-24 2024.

Robert Burstein, Trustee

Robert Burstein Retirement Plan

STATE OF OREGON, County of Josephine) ss. $\frac{\partial /2l}{\partial }$, 2024.

The foregoing instrument was acknowledged before me by Robert Burstein, as Trustee of the Robert Burstein Retirement Plan.

Notary Public for Oregon

Mylcommission expires: 14/30/20

OFFICIAL STAMP
KIMBERLY ANN WALKER
NOTARY PUBLIC - OREGON
COMMISSION NO. 1031381
MY COMMISSION EXPIRES NOVEMBER 30, 2026

(Seal)

See Oregon Department of Justice Form 300

http://www.doj.state.or.us/consumer/pages/foreclosure_mediation_forms.aspx