TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND TRUSTEE'S NOTICE OF SALE

Vol men Page

23579

41799

Reference is made to that Trust Deed wherein LLOYD D. CALDWELL and MICHAELA L. CALDWELL, husband and wife, is grantor; ASPEN TITLE & ESCROW, INC., is Trustee; and ERIC M. SPIESS and MELADEE DODDS, who was incorrectly named as MELADEE DOBBS in the trust deed, dba M & E ENTERPRISES OF GALT. is Beneficiary. recorded in Official/Microfilm Records, Vol. M90, page 25149, or as file/reel/document/instrument number 23907, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon: Lot 22, Block 2, TRACT NO. 1096, AMERICANA, in the County of Klamath, State of Oregon. CODE 218 MAP 3909-14DA-3300 No action is pending to recover any part of the debt secured by the trust deed. The obligation secured by the trust deed is in default because the grantor has failed to pay the 2 Failure to pay the payment due February 1, 1997 in the amount of \$664.64 and thereafter. And failure to pay; Real property taxes for the years 1993-94, 1994-95, 1995-96, 1996-97. 6 The sum owing on the obligation secured by the trust deed is: \$104,897.03 plus interest at rate of 7% per annua from January 9, 1997, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed. Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS The property will be sold as provided by law on July 24, 1997 at 10:00 o'clock a.m. based on standard of time established by ORS 187.110 at 540 Main St., #301, Klamath Falls, Klamath, Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale. This communication is an attempt to collect a debt. Any information obtained will be used for Dated: March 9, 1997. es. William L. Sisemore, Successor Trustee STATE OF OREGON, County of Klamath) ss The foregoing was acknowledged before me on March 9, 1997, by William L. Sisemore, Notary Public for Oregon-My Commission Expires 08/02/99 more OFFICIAL SEAL ALICE L. SISEMORE NUTARY PUBLIC - OREGON COMMISSION NO. 045367 MY COMMISSION EXPIRES AUG. 02, 1999 Certified to be a true copy: Attorney for Trustee STATE OF OREGON. County of Klamath, ss Filed for record on <u>march</u> 197, at 7.01 in <u>Mar7</u> page 7136 or as file/reel/document/instrument number , 1977, at 7 010' clock Am. and recorded of mortgages. Klamath County Clerk, by Cathy Uanh After recording, return to: Deputy William L. Sisemore Attorney at Law 540 Main Street, #301 Klamath Falls, OR 97601 Exhibit 2

23580

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON

County of Klamath

I, William L. Sisemore, being first duly sworn, depose and say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME AND ADDRESS

Lloyd D. Caldwell Michaela L. Caldwell 5529 Liberty Avenue Klamath Falls, OR 97603

SS

Lloyd D. Caldwell Michaela L. Caldwell 5351 W. Hwy 96 Pueblo, CO 81005

Carter Jones Collection Service 1143 Pine Street Klamath Falls, OR 97601

S.A.I.F. Corporation 400 High Street, S.E. Salem, OR 97312-1000

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by CRS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by William L. Sisemore, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon full prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on _ 3-12 _, 19<u>97</u>. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a property form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Plin William L. Sisemore

March 12, 1997. sworn to before me on Subscribed and OFFICIAL SEAL ALICE L. SISEMORE 57 NOTARY PUBLIC - OREGON COMMISSION NO. 045367 NY COMMISSION EXPIRES AUG. 02, 1999

cemor Notary Public for Oregon My Commission Expires: $\frac{3}{2}/q q$

STATE OF OREGON

ŚS I certify that the within instrument was received for record on the County of Klamatir day of 19 , at o'clock M, and recorded in or as fee/file/instrument/microfilm/reception No. book/real/volume No. on page , Record of Mortgages of said County.

Witness my hand and seal of County affixed.

BY

After recording, return to:

Deputy

JEFFERSON STATE ADJUSTERS PROOF OF SERVICE

STATE OF OREGON COUNTY OF KLAMATH

I hereby certify that I made service of the forgoing AND ELECTION TO SELL AND OF SALE upon the within named respondent, by delivering or leaving a true copy of the said TRUSTRE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND OF SALE US FOLLOWS:

PERSONAL SERVICE

On MARCH 13, 1977 at Sido 'Cluck, AM., I delivered an original or TEVETEE'S NATICE OF DEFAULT true copy of the ALD FLECTION TO SEL AND LASSILE to MIKE CLEVEITE In person, at 5509 LIBERTY AVE KLAMATH FALLS BR 97607

SUBSTITUTE SERVICE

On MARCH 13 , 1997 at 9:00 clock, A. M., I served ANDELECTION TO SEVERADOF SALE on DefendantSHANNION CLEVETTE by delivering an original or true copy to MIKE <u>CLEVETTE</u> a person over the age of 14 years residing

in said party's house or usual place of abode at SS29 LIBERTY AVE KLAMATITAL OR 97603

OFFICE SERVICE*

. 19_at_o'clrck., ___M., I left an original or 0n true copy of the with

the person apparently in charge of the business office maintained by

NON FOUND

I certify that I received the within document for service on_

and after due and deligent search and inquiry I have been unable to locate the within named in Klamath County.

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or State of Oregon, and that I am not a party to nor an employee of, nor attorney for any party; that the person served by me is the identical person named in the cause.

Signature

at

Court Case Number

MEE

MARCH 13, 199-

*Where substituted or office service is used, the petitioner as soon as reasonably possible, shall cause to be mailed a true copy of the to the respondent at the respondent's dwelling house or usual place of abode, together with a statement of the time and date at which such service was made.

Affidavit of Publication

STATE OF OREGON. COUNTY OF KLAMATH

I, Julie Hughes, Office Manager, being first duly sworn, despose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that the LEGAL #9275

TRUSTEE'S NOTICE.....

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for FOUR

 $(\underline{4})$ insertion(s) in the following issues: MARCH 25

APRIL 1/8/15, 1997

Total Cost: \$353.92 7 High

Subscribed and sworn before me this____ day of APRIL 1997

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Notary Public of Oregon

515200 My commission expires____

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	СОМ	MISSION NO.	051091	2
16 MY	COMMISSION E	XPINES MARC	H 15, 2000 (2

TRUSTEE'SWOZICE COOL OF DEFAULTANDI ELECTICN TOISELL AND SELL DESELL TRUSTERS NOTICE Reference is made to UKS 48-765 10 86.795 that (Trust Leed what is the property will be ein LLOYD D. CALD. The property will be WELL and MICHAELIA. sold as provided by law. L¹¹ CAL DW ELL, 1703, on JUD 24, 1997, at 40:00 hand and with 16 brah. of Clock a improves of the ton: ASPENCTITLE 18, standard of time estab-ESCROW.INC. sisting. Standard of time estab-tee and ERICCAN SPI. 540, Main Street, Suite tess and MELADEE 301, Klamath Fails, Or

rectly named as MELA DEE DOBBS In the Interested persons are trust deed, dba M&E Interested persons are ENTER PRISES OF notified of the right un-GALT, is Benef(Clary, der, ORS 86.753 to have recorded in Official/Mi. This proceeding dis-crofilm. Records, Val. missed and the trust crofilm. Records, Val. missed and the trust Anonwords (25149) of as deed reinstated by pay-M90, upadé (25149) an as deed renatined up pay file/reci/document/in ment of the entire strument/nomber 2907, amount then due, other Klamath (Gounty 076, than, such portion as gon, covering the toi, would not then be due Klamath Gounty, ore would not then be use gon, covering the foil mad no default oc lowing described feal had no default oc property in klamath curred, together with property in klamath curred, together with

math, Stafe of Oregon? CODE 218 MAP 3909-14DA 3300 (moonual) This communication is No action is ponding to an attempt to collect a recover any part-of the debt wany information debt secured by the frust deed, so that is the used that deed a solution batter and the secure of the solution Dated: March 9, 1997 debt secured by the obtained with be used frist deads at international for that purpose at the The obligation secored William L. Sisemore, by the trust dead is in Successor Trustee default: because the #9275 March 25, 1997 grantor has tailed to April 1, 8, 15, 1997 pay the following: Failure to pay the payment due February 1, 1997 in the amount of \$664.64 and thereafter. And failute to pay: Real prop-enty taxes for the years 1993-94, 1994-95, 1995-96;1 1995-97: The sum owing on the obligation secured by the trust deed is. \$104,877,03 plus interest at the rate of 75 per antim (roh senuary 9, 1000

1997, nius trustee's feet, at-forney's fies, forecio-

sore costs and any sums advances by bon-eliciacia pursuant to ma terma cot said (fug)

Beneficialy, has and goes elect to sell the property to satisfy the obligation pursuant to ORS 46,705 to 86.795.

ESS and MELADEE 201, Klamath Falls, Or DDDDS, who was incor egon, Klamath County, rectly named as MELA-Oregon,

lowing users in Klaman costs; truste County, Oregon: in the costs; truste Scine (16 d' most contrast for the de-Lot:22, Block 2, TBACT Curing, any other de-NO.1096; AMERICANA, fault complained of in Inche County of kla. Ihis.noice; at any time math, Stafeof Oregon: prior to five days be math, Stafeof Oregon; prior to five days be as a program of the date last set

This communication is

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for r	ecord at request of			William	L.	Sisemore	<u> </u>		the	24th	day
of	July	A.D., 1	9 <u>97</u>	at2:2	24	o'clockF	<u>• M</u>		ecorded in	Vol. <u>M97</u>	,
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FEE	\$25.00					Ву		Berneina G	Leben, C	ounty Clerk	