

72712-A

IN THE COURT OF THE STATE OF OREGON
COUNTY OF KLAMATH COURT CASE NO.

WINE LOVING TRUST DATED
MAY 30, 1991

ASPEN 04048177

vs
RODNEY D MILLER AND KELLY A MILLER

PROOF OF SERVICE

STATE OF OREGON)
County of JACKSON) SS.

I hereby certify that on the 11 day of September, 19 98, at the hour of 1507
I served OCCUPANTS by

- XX Personal Service (personally and in person)
Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)
Office Service (by serving the person apparently in charge)
By posting (said residence)

- A certified/true copy of:
Summons Writ of Garnishment Small Claims
Motion Order Affidavit
Complaint Citation Subpoena
Petition Notice Decree
X Other: TRUSTEES NOTICE OF SALE

Together with a copy of

To CRYSTAL WILLIAMS At 4047 DOUGLAS AVE
KLAMATH FALLS, OR.

NOT FOUND: I certify that I received the within document for service on the day of 19
and after due and diligent search and inquiry, I have been unable to locate
within the county of Dated this day of 19

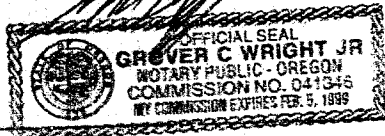
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Dennis Gates

Subscribed to and sworn to before me this
day of Sept, 19 98

DENNIS GATES (#4)
Cleveland Investigation Company
(541) 535-6005



Papers Received From DAVIS, BILSTRAP, HARRIS, HEARN &
5115 E. MAIN ST.
ASHLAND
OR 97520
FEDERAL ID # 93-0904214
503-482-3111
ATTN: TONYA

Remit to: CIC	Service Fee	\$ 25.00
P.O. Box 230	Mileage	\$
Talent, OR 97540	Rush/Emergency	\$
Date: 9/14/98	Incorrect Add.	\$
CIC File No.		\$
Client No. 15773 K	Amount Paid	\$ 0.00
WINE (DOUGLAS AVE)	TOTAL DUE	\$ 25.00

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by Rodney D. Miller and Kelly A. Miller, husband and wife, as grantor, to Aspen Title & Escrow, Inc., as trustee, to secure certain obligations in favor of Victor K. Wine and Naoko Wine, Trustees or their successors in trust, under the Wine Loving Trust dated May 30, 1991, as beneficiary, dated April 12, 1996, and recorded in Volume M-96, Page 10469 of the Official Records of Klamath County, Oregon, on April 15, 1996, covering the following described real property, to wit:

Lot 21, Block 4, STEWART ADDITION, in the County of Klamath, State of Oregon.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said trust deed by advertisement and sale. The default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

Monthly installments of \$273.00 per month, beginning with the installment due April 15, 1998, and monthly installments in the same amount due the 15th day of each month thereafter.

By reason of said default, and grantor's failure to pay real property taxes for the tax years 1996-97 and 1997-98, the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following to wit:

\$23,314.02, together with interest thereon at the rate of 14% per annum from April 15, 1998, until paid, plus a late fee of 5% of any payment amount not received within 15 days of its due date, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed.

A notice of default and election to sell and to foreclose was duly recorded in Vol. M98 pg. 29732 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded August 12, 1998.

WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 27th day of January, 1999, at the hour of 10:00 o'clock a.m., Pacific Time as established by Section 187.110, Oregon Revised Statutes, at Aspen Title & Escrow, 525 Main Street,

NOTICE OF SALE
Page -1-

LAW OFFICES OF
DAVIS, GILSTRAP, HEARN & SHAW
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97320
(541) 482-3111 FAX (541) 488-4455

Klamath Falls, OR 97601, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution of the said trust deed, together with any interest which the grantor or successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that certain persons referred to in the Oregon Revised Statutes have the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred) together with costs, trustee's and attorney's fees at any time prior to five days before the date of said sale, provided that all other defaults referred to above are cured by then.

DATED this 2nd day of September, 1998.

DAVIS, GILSTRAP, HEARN & WELTY
A Professional Corporation

Barry N. Shaw
BARRY N. SHAW, Successor Trustee

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 8th day
of January A.D., 19 99 at 3:18 o'clock P. M., and duly recorded in Vol. M99
of Mortgages on Page 691

Linda Smith, County Clerk
By Ruthann Bass

FEE

\$20.00

NOTICE OF SALE
Page -2-

LAW OFFICES OF
DAVIS, GILSTRAP, HEARN & SHAW
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4453