

ASPEN
04249233

TRUSTEE'S NOTICE OF SALE

Re: Trust Deed From:
Rodney D. Miller and Kelly Miller, Grantors

To:
Aspen Title and Escrow, Inc., Trustee;
Successor Trustee, Brandt A. Himler

AFTER RECORDING RETURN TO:
Alan G. Hanson, Atty at Law
1223 Edgewater NW, Salem, OR 97304

'99 MAY 27 AIO:31

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TRUSTEE'S NOTICE OF SALE

REFERENCE is made to that certain trust deed made by **RODNEY D. MILLER AND KELLY MILLER**, husband and wife, as grantors, to **ASPEN TITLE AND ESCROW, INC.**, as trustee; Successor Trustee, **BRANDT A. HIMLER**, as trustee, in favor of **CATHERINE BARRY**, as beneficiary, dated the 3rd day of April, 1996, and recorded the 10th day of April, 1996 in the microfilm mortgage records of Klamath County, Oregon at Volume M96, Page 10063, covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 12, Block 301, DARROW ADDITION TO THE CITY OF KLAMATH FALLS, County of Klamath,
State of Oregon.
CODE I MAP 3809-33DA TL 8700

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments in the amount of \$137.25 from January 7, 1998, to present; together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns; plus real property taxes (if any), together with any penalties, delinquent interest and late charges thereon.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

\$12,185.63 plus interest at a rate of 13.5 percent per annum from December 8, 1997, to present; together with property taxes, title expense, costs, trustee's fees and attorneys fees incurred herein 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 therein.

WHEREFORE, notice hereby is given that the undersigned trustee will at the hour of 3:00 o'clock P.M., in accord with the standard of time established by ORS 187.110 on August 20, 1999, at the following place: Front Main Entrance of the U.S. Post Office, located at 317 S. 7th St., in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest the 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.

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Notice is further given that any person named in ORS 86.753 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, 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's fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

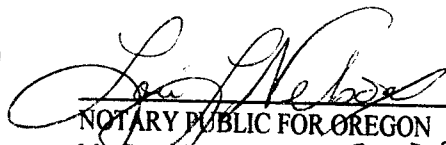
DATED this the 12th day of April, 1999.


Brandt A. Himler, Successor Trustee

STATE OF OREGON)
) ss.
County of Polk)

This instrument was acknowledged before me on this the 12th day of April, 1999, by Brandt A. Himler, Successor Trustee.




NOTARY PUBLIC FOR OREGON
My Commission Expires 9-15-02

STATE OF OREGON)
) ss.
County of Polk)

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale

Alan G. Hanson, OSB #97278
Attorney for Successor Trustee

State of Oregon, County of Klamath
Recorded 5/27/99, at 10:31 a.m.
In Vol. M99 Page 21082
Linda Smith, County Clerk
Fee \$ 15

