

**RECORDING COVER SHEET  
FOR NOTICE OF SALE PROOF  
OF COMPLIANCE, PER ORS 205.234**

Vol MOO Page 20101

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON <sup>ATTN</sup> JUN -2 PM 3:27  
PRESENTING THE ATTACHED INSTRUMENT FOR  
RECORDING. ANY ERRORS IN THIS COVER SHEET  
DO NOT AFFECT THE TRANSACTION(S) CONTAINED  
IN THE INSTRUMENT ITSELF.

AFTER RECORDING RETURN TO MTG S0070  
name and address of the person authorized to receive the  
instrument after recording, as required by ORS 205.180(4)  
and ORS 205.238.

*This Space For County Recording Use Only  
as of 8-1-98*

MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original Grantor on  
Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of  
Sale or Proof of Service will be considered a transaction.

☒ AFFIDAVIT OF MAILING NOTICE OF SALE (must have trustee's notice of sale attached)

☒ AFFIDAVIT OF PUBLICATION NOTICE OF SALE

☒ PROOF OF SERVICE

*Original Grantor on Trust Deed*

*Beneficiary*

## AFFIDAVIT OF MAILING

STATE OF OREGON       )  
                                   ) §  
 COUNTY OF JACKSON    )

I, JOAN CHRISTOPHER, of DAVIS, GILSTRAP, HEARN, SALADOFF & SMITH, P.C. of Ashland, Oregon, hereby certify that I mailed a copy of the Trustee's Notice of Sale which is attached hereto unto the following persons or entities pursuant to the provisions of ORS 86.740(1). The Notice was sent by Certified and First Class Mail on September 30, 1999, in letters addressed to:

WESTERN HOMES INC  
 5729 ALTAMONT DRIVE  
 KLAMATH FALLS OR 97603

SHASTA GLEN LLC  
 1576 NW CITY HEIGHTS  
 BEND OR 97701

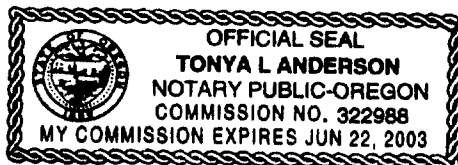
OCCUPANTS  
 621 N 11<sup>th</sup> STREET  
 KLAMATH FALLS OR 97601

and on February 7, 2000, said Notice was sent by Certified and First Class Mail to:

OREGON DEPARTMENT OF REVENUE  
 STATE OF OREGON  
 955 CENTER STREET NE  
 SALEM OR 97310

*Joan Christopher*  
 JOAN CHRISTOPHER

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of June, 2000.



*Tonya L. Anderson*  
 Notary Public for Oregon  
 My Commission Expires: 6/22/2003

Affidavit of Mailing  
 Page -1-

LAW OFFICES OF  
 DAVIS, GILSTRAP, HEARN, SHAW, SALADOFF & SMITH  
 A Professional Corporation  
 515 EAST MAIN STREET  
 ASHLAND, OREGON 97520  
 (541) 482-3111 FAX (541) 488-4455

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made, executed and delivered by Western Homes, Inc., an Oregon corporation, as grantor, to AmeriTitle, as trustee, to secure certain obligations in favor of Vernon G. Ludwig and Ofelia Ludwig, husband and wife, as beneficiary, dated July 28, 1999, and recorded in Volume M-99, page 32589, of the Official Records of Klamath County, Oregon, on August 12, 1999, covering the following described real property, to wit:

See Exhibit "A" attached.

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 \$300.00 per month, beginning with the installment due October 30, 1999, and monthly installments in the same amount due the 30<sup>th</sup> day of each month thereafter.

By reason of said default 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:

\$29,995.00, together with interest thereon at the rate of 12% per annum from September 17, 1999, until paid, plus a late fee of \$15 if any payment is 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 and assigned No. M-00, page 2792 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded January 27, 2000.

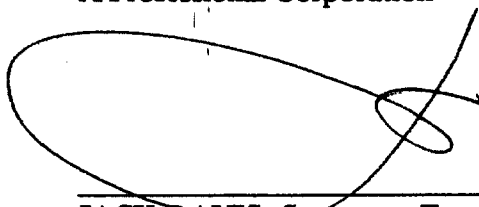
WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 21<sup>st</sup> day of June, 2000, at the hour of 9:30 o'clock a.m., Pacific Daylight Time as established by Section 187.110, Oregon Revised Statutes, at the offices of AmeriTitle, 222 S. Sixth Street, Klamath Falls, OR 97601, 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

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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 28<sup>th</sup> day of January, 2000.

DAVIS, GILSTRAP, HEARN,  
SALADOFF & SMITH  
A Professional Corporation

A large, stylized handwritten signature in black ink, consisting of a large loop and a cross-like flourish.

JACK DAVIS, Successor Trustee

**PARCEL 1:**

The Southwesterly 58 feet of the Southeasterly 40 feet of Lot 5, Block 60 NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at the most Southerly corner of Lot 5, Block 60, NICHOLS ADDITION; thence Northeasterly along the line between Lots 4 and 5 in Block 60, 58 feet; thence Northwesterly at right angles to the line between Lots 4 and 5, 40 feet; thence Southwesterly at right angles to 11th Street; 58 feet to the Northeasterly boundary line of 11th Street; thence Southeasterly along the Northeasterly boundary line of 11th Street, 40 feet to the point of beginning.

**PARCEL 2:**

The Northeasterly 72 feet of the Southeasterly 40 feet of Lots 5 and 6, Block 60, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Southeasterly line of said Lot 5, which point bears North 38 degrees 56' East 58 feet from the most Southerly corner of said Lot 5; thence North 38 degrees 56' East along the Southeasterly line of Lots 5 and 6 in said Block 60, 72 feet; to the most Easterly corner of Lot 6; thence North 51 degrees 04' West along the line between Lots 6 and 7, 40 feet; thence South 38 degrees 56' West parallel to the Southeasterly line of Lots 5 and 6, 72 feet; thence South 51 degrees 04' East parallel to the line between Lots 6 and 7, 40 feet, more or less, to the point of beginning.

# Affidavit of Publication

## STATE OF OREGON, COUNTY OF KLAMATH

I, Larry L. Wells, Business Manager,  
being first duly sworn, depose 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#3110

Trustee's Notice of Sale

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

( 4 ) insertion(s) in the following issues:

April 28, 2000

May 5, 12, 19, 2000

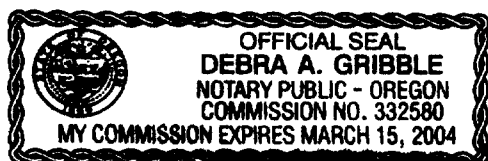
Total Cost: \$715.50

Subscribed and sworn before me this 19th  
day of May 20 00

*Debra A. Gribble*

Notary Public of Oregon

My commission expires March 15, 2004



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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 por-

tion 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 28th day of January, 2000

DAVIS, GILSTRAP, HEARN, SALADOFF & SMITH

A Professional Corporation

JACK DAVIS, Successor Trustee

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South 51 degrees 04' East parallel to the line between Lots 6 and 7, 40 feet, more or less, to the point of beginning.

#3110 April 28, 2000

May 5, 12, 19, 2000

## AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON

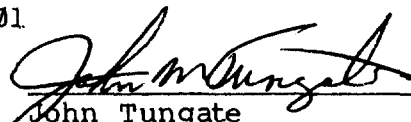
County of JACKSON

I, John Tungate, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of the State of Oregon. I am not a party to, an attorney in, or interested in any suit or action involving the property described below.

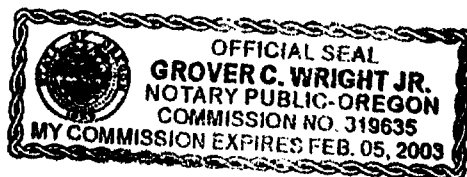
That on the 6th day of February, 2000, after personal inspection, I found the following real property to be unoccupied:

621 N 11th st  
Klamath Falls, OR. 97601

  
John Tungate  
Cleveland Investigation Co.  
P O BOX 1230  
TALENT, OR. 97540  
541-5353-6005

SUBSCRIBED AND SWORN to before me this 6TH day of February, 2000.

  
Notary Public for Oregon  
My commission expires: 2/15/03



State of Oregon, County of Klamath  
Recorded 06/02/00, at 3:27 p.m.  
In Vol. M00 Page 20101  
Linda Smith,  
County Clerk Fee \$ 56<sup>00</sup>