

Return to:
Davis, Gilstrap, Hearn,
Saladoff & Smith
575 East Main Street
Ashland, OR 97520

MTC- 59630

Affidavit of Publication

Vol M03 Page 36961

STATE OF OREGON, COUNTY OF KLAMATH

State of Oregon, County of Klamath

Recorded 05/30/2003 3:37 p.m.

Vol M03 Pg 36961 - 36966

Linda Smith, County Clerk

Fee \$ 46.00 # of Pgs 6

3420 of the Official
Records of Klamath
County, State of Or-
egon. Said Notice of
Default and Election
to Sell was recorded
January 21, 2003.

WHEREFORE, NO-
TICE HEREBY IS
GIVEN that the un-
dersigned trustee
will on the 16th day
of June, 2003, at the
hour of 10:00 AM,
Pacific Time as es-
tablished by Section
187.110, Oregon Re-
vised Statutes, at
the offices of Ameri-
title, 222 S. Sixth
Street in 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 inter-
est acquired after
the execution of said
trust deed, to satisfy
the foregoing obliga-
tions thereby se-
cured and the costs
and expenses of
sale, including a
reasonable charge
by the trustee. No-
tice is further given
that certain persons
referred to in the
Oregon Revised
Statutes have the
right to have the
foreclosure proceed-
ing dismissed and
the trust deed rein-
stated by payment
of the entire amount
due (other than such
portion of said prin-
cipal as would not
then be due had no
default occurred) to-
gether with costs,
trustee's and attor-
ney's fees at any
time prior to five
days before the date
of said sale, provid-
ed that all other de-
faults referred to
above are cured by
then.

Dated this 22nd day
of January, 2003.
Davis, Gilstrap,
Hearn, Saladoff &
Smith, A Profession-
al Corporation.
Jack Davis, Succes-
sor Trustee.
#5702 April 23, 30,
May 7, 14, 2003.

TRUSTEE'S NOTICE OF SALE

Reference is made
to that certain trust
deed made, execut-
ed and delivered by
Leanne R. Mitchell,
as grantor, to Ameri-
title, as trustee, to
secure certain obli-
gations in favor of
Vernon G. Ludwig
and Ofelia Ludwig,
as beneficiary, dat-
ed October 23, 2000,
and recorded in Vol-
ume M00, Page
39771 of the Official
Records of Klamath
County, Oregon, on
October 31, 2000,
covering the follow-
ing described real
property, to wit:

EXHIBIT "A"
Legal Description
Lots 6 and 7 in Block
76 of BUENA VISTA
ADDITION to the
City of Klamath
Falls, according to
the official plat
thereof on file in the
office of the County
Clerk of Klamath
County, Oregon, and
a portion of Lot 5 in
Block 76 described
as follows:

Beginning at the
most Easterly cor-
ner of Lot 7, Block
76; thence South 52
degrees 36' 30" East
a distance of 4.70
feet; thence South-
westerly to a point
on the Southwesterly
line of Lot 5, Block
76, which point is
South 52 degrees 36'
30" East 1.65 feet
from the most
Southerly corner of
Lot 6, Block 76;
thence North 52 de-
grees 36' 30" West
along said South-
westerly line of Lot
5, Block 76, to the
most Southerly cor-
ner of Lot 6; thence
North 37 degrees 23'
30" East along the
Southeasterly line of
Lots 6 and 7, Block
76, to the point of be-
ginning.

Both the beneficiary
and the trustee have
elected to sell the
said real property to
satisfy the obliga-
tions secured by
said trust deed and
to foreclose said
trust deed by adver-
tisement and sale.
The default for
which the foreclo-
sure is made is
grantor's failure to
pay when due the
following sums ow-
ing on said obliga-
tions, which sums
are now past due,
owing and delin-
quent: Monthly in-
stallments of \$500.00
per month, begin-
ning with the install-
ment due November
27, 2002, and month-
ly installments in
the same amount
due the 27th day of
each month there-
after.

By reason of said
default, and gran-
tor's failure to pay
the real property
taxes owing for tax
years 2001-2002 and
2002-2003, the benefi-
ciary has declared
the entire unpaid
balance of all obli-
gations secured by
said trust deed to-
gether with the in-
terest thereon, im-
mediately due, ow-
ing and payable,
said sums being the
following to wit:
\$50,000.00 together
with interest thereon
at the rate of 12%
per annum from No-
vember 7, 2002, until
paid, plus a late fee
of \$25 for any pay-
ment not received
within 15 days of its
due date, plus trust-
ee'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
Volume M03, Page

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

'03 MAY 30 PM 3:37

Legal # 5702

Notice of Sale/Mitchel

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for: (4)

Four

Insertion(s) in the following issues:

April 23, 30, May 7, 14, 2003

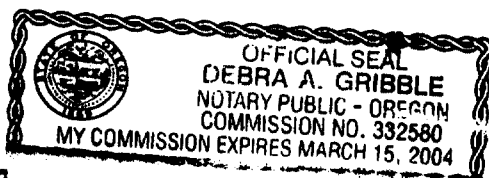
Total Cost: \$688.50

Subscribed and sworn

before me on: May 14, 2003

Notary Public of Oregon

My commission expires March 15, 2004



IN THE JACKSON COURT OF THE STATE OF _____
COUNTY OF _____: COURT CASE NO. _____

VERNON G LUDWIG AND
OFELIA LUDWIG)

vs

LEANNE R MITCHEL)

PROOF OF SERVICE

STATE OF OREGON)
County of JACKSON) SS.

I hereby certify that on the 5 day of February, 2003, at the hour of 0705
I served LEANNE R MITCHEL by

- ☒ 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:

- | | | |
|--|--|---------------------------------------|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Order | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Citation | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Notice | <input type="checkbox"/> Decree |
| <input checked="" type="checkbox"/> Other: <u>TRUSTEE'S NOTICE OF SALE</u> | | |

Together with a copy of _____

To LEANNE R MITCHEL At 1865 ACADEMY
KLAMATH FALLS, OR. 97601

NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 20____
and after due and diligent search and inquiry, I have been unable to locate _____
within the county of _____ Dated this _____ day of _____, 20____

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

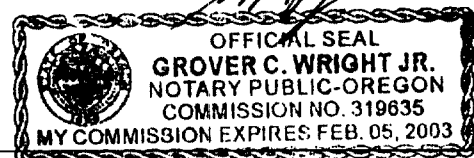
I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this
day of Feb, 2003

Larry Moore

LARRY MOORE (#24)

Cleveland & Carl Investigation Company
(541) 535-6005



Papers
Received From DAVIS, GILSTRAP, HARRIS, HEARN &
515 E. MAIN ST.
ASHLAND
OR 97520-
FEDERAL ID # 93-1262071
503-482-3111
ATTN: JOAN

Agency: CCIC, Inc.	Service Fee	\$ 25.00
P.O. Box 1290	Mileage	\$
Talent, OR 97540	Rush/Emergency	\$
Date: 02-05-2003	Incorrect Add.	\$
CCIC File No. 565-K		\$
Client No.	Amount Paid	\$ 0.00
MITCHEL	TOTAL DUE	\$ \$25.00

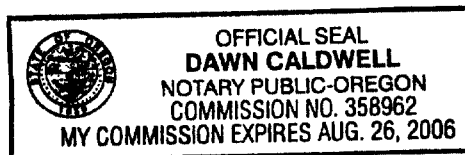
AFFIDAVIT OF MAILING

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 February 5, 2003, in letters
 addressed to:

Tim Wogamon
 601 S Ely Blvd.
 Petaluma CA 94954

Joan Christopher
 JOAN CHRISTOPHER
 SUBSCRIBED AND SWORN to before me this 5th day of February, 2003.



Dawn Caldwell
 Notary Public for Oregon
 My Commission Expires: 8/26/06

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by Leanne R. Mitchel, as grantor, to AmeriTitle, as trustee, to secure certain obligations in favor of Vernon G. Ludwig and Ofelia Ludwig, as beneficiary, dated October 23, 2000, and recorded in Volume M00, Page 39771 of the Official Records of Klamath County, Oregon, on October 31, 2000, 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 \$500.00 per month, beginning with the installment due November 27, 2002, and monthly installments in the same amount due the 27th day of each month thereafter.

By reason of said default, and grantor's failure to pay the real property taxes owing for tax years 2001-2002 and 2002-2003, 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:

\$50,000.00 together with interest thereon at the rate of 12% per annum from November 7, 2002, until paid, plus a late fee of \$25 for any payment 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 Volume M03, Page 3420 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded January 21, 2003.

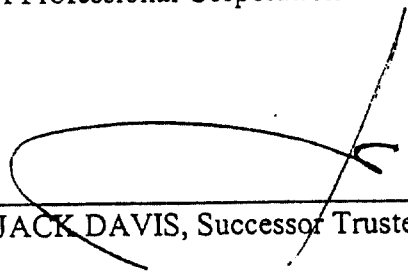
WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 16th day of June, 2003, at the hour of 10:00 o'clock a.m., Pacific Time as established by Section 187.110, Oregon Revised Statutes, at the offices of AmeriTitle, 222 S. Sixth Street in Klamath Falls, OR 97601, sell at public auction 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

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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 22nd day of January, 2003.

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



JACK DAVIS, Successor Trustee

EXHIBIT "A"
LEGAL DESCRIPTION

Lots 6 and 7 in Block 76 of BUENA VISTA ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, and a portion of Lot 5 in Block 76 described as follows:

Beginning at the most Easterly corner of Lot 7, Block 76; thence South 52 degrees 36' 30" East a distance of 4.70 feet; thence Southwesterly to a point on the Southwesterly line of Lot 5, Block 76, which point is South 52 degrees 36' 30" East 1.65 feet from the most Southerly corner of Lot 6, Block 76; thence North 52 degrees 36' 30" West along said Southwesterly line of Lot 5, Block 76, to the most Southerly corner of Lot 6; thence North 37 degrees 23' 30" East along the Southeasterly line of Lots 6 and 7, Block 76, to the point of beginning.