

03 JUL 24 PM 2:55

Open 5/6/97

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

VERNON G LUDWIG AND
OFELIA LUDWIG
vs
DEBBY LYNN FRANKE

Vol M03 Page 52371

STATE OF OREGON)
County of KLAMATH) ss.

PROOF OF SERVICE
State of Oregon, County of Klamath
Recorded 07/24/2003 2:55 p m
Vol M03 Pg 52371-74
Linda Smith, County Clerk
Fee \$ 36.00 # of Pgs 4

I hereby certify that on the 24 day of March, 2003, at the hour of 11:35
I served DEBBY LYNN FRANKE 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: TRUSTEE'S NOTICE OF SALE

Together with a copy of

To DEBBY LYNN FRANKE At 2405 WHITE AVE
KLAMATH FALLS, OR. 97601

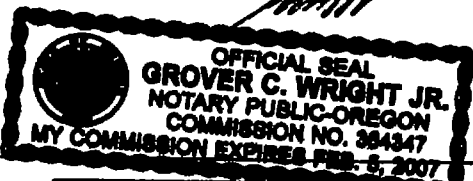
NOT FOUND: I certify that I received the within document for service on the day of 20 and after due and diligent search and inquiry, I have been unable to locate within the county of Dated this day of 20

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.

Kathleen Shaffer
KATHLEEN SHAFFER (#25)
Cleveland & Carl Investigation Company
(541) 535-6005

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



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

Delivered to: CCIC, Inc.	Service Fee	\$ 25.00
P.O. Box 1290	Mileage	\$
Talent, OR 97540	Rush/Emergency	\$
Date: 03-25-2003	Incorrect Add.	\$
CCIC File No. 1599-K		\$
Client No.	Amount Paid	\$ 0.00
03-167-JD	TOTAL DUE	\$ \$25.00

hca

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by Debby Lynn Franke, as grantor, to Aspen Title & Escrow, Inc., as trustee, to secure certain obligations in favor of Vernon G. Ludwig and Ofelia Ludwig, husband and wife, as beneficiary, dated August 8, 2002, and recorded in Volume M-02, Page 45645 of the Official Records of Klamath County, Oregon, on August 13, 2002, covering the following described real property, to wit:

Lot 15, Block 305, Darrow Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the Clerk of Klamath County, 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 \$373.73 per month, beginning with the installment due December 13, 2002, and monthly installments in the same amount due the 13th 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:

\$43,763.88, together with interest thereon at the rate of 9.75% per annum from November 28, 2002, until paid, plus a late fee of 5% of the payment amount 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 M-03 Page 15457 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded March 14, 2003..

WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 11th day of August, 2003, at the hour of 10:00 o'clock a.m., Pacific Daylight Time as established by Section 187.110, Oregon Revised Statutes, at the offices of Aspen Title & Escrow, Inc., 525 Main 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

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

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 17th day of March, 2003.

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



JACK DAVIS, Successor Trustee

Affidavit of Publication

52374

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 # 5922

Notice of Sale/Franke

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

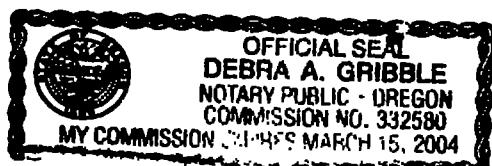
Insertion(s) in the following issues:
June 18, 25, July 2, 9, 2003

Total Cost: \$594.00

Larry L. Wells
Subscribed and sworn
before me on: July 9, 2003

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by Debby Lynn Franke, as grantor, to Aspen Title & Escrow, Inc., as trustee, to secure certain obligations in favor of Vernon G. Ludwig and Ofelia Ludwig, husband and wife, as beneficiary, dated August 8, 2002, and recorded in Volume M-02, Page 45645 of the Official Records of Klamath County, Oregon, on August 13, 2002, covering the following described real property, to wit:

Lot 15, Block 305, Darrow Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the Clerk of Klamath County, 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 \$373.73 per month, beginning with the installment due December 13, 2002, and monthly installments in the same amount due the 13th day of each month thereafter.

By reason of said default, the benefi-

ciary 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:

\$43,763.88, together with interest thereon at the rate of 9.75% per annum from November 28, 2002, until paid, plus a late fee of 5% of the payment amount 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 M-03 Page 15457 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded March 14, 2003.

WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 11th day of August, 2003 at the hour of 10:00 AM, Pacific Daylight Time as established by Section 187.110, Oregon Revised Statutes, at the offices of Aspen Title & Escrow, Inc., 525 Main 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 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 18th day of March, 2003. Davis, Gilstrap, Hearn, Saladoff & Smith, A Professional Corporation. Jack Davis, Successor Trustee. #5922 June 18, 25, July 2, 9, 2003.