

04 APR 5 AM 10:33

Vol M04 Page 19043

A 58209  
**TRUSTEE'S NOTICE OF SALE**

State of Oregon, County of Klamath  
Recorded 04/05/2004 10:33a m  
Vol M04 Pg 19043-46  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

Reference is made to that certain trust deed made, executed and delivered by John M. Kohler, Sr., as grantor, to Aspen Title and Escrow, Inc., as trustee, to secure certain obligations in favor of Vernon G. Ludwig and Ofelia Ludwig, husband and wife, as beneficiary, dated November 18, 1998, and recorded in Book M-98, Page 42597 of the Official Records of Klamath County, Oregon, on November 20, 1998, covering the following described real property, to wit:

Lot 9, HAGER ACRES, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

Together with a 1971 Fleetwood Manufactured Structure, Plate No. X13322  
VIN S12945.

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:

The entire debt matured November 19, 2003.

By reason of said default, and grantor's failure to pay delinquent personal property taxes for fiscal tax years 1999-00, 2000-01, 2001-02, 2002-03 and 2003-04, and real property taxes for tax years 2000-01, 2001-02, 2002-03, 2003-04, 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:

\$9,497.78, together with interest thereon at the rate of 12% per annum from May 11, 2003, until paid, plus a late fee of \$4.50 for each payment not made 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-03, Page 86306 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded November 24, 2003.

WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 20<sup>th</sup> day of April, 2004, 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 and Escrow, 525 Main Street in Klamath Falls, 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 power to convey at the time of

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

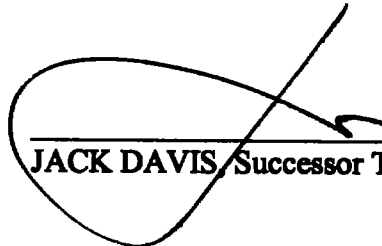
Trustee's Notice of Sale -1-

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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 26<sup>th</sup> day of November, 2004.

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

  
\_\_\_\_\_  
JACK DAVIS, Successor Trustee

**AFFIDAVIT OF MAILING**

STATE OF OREGON       )  
                                   )  
 COUNTY OF JACKSON    ) §

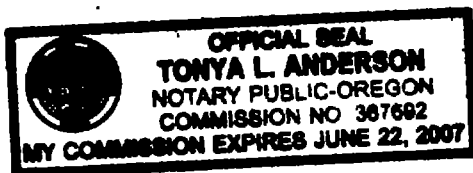
I, JOAN CHRISTOPHER, of DAVIS, GILSTRAP, HEARN, SALADOFF & SMITH, P.C.  
 of Ashland, Oregon, hereby certify that I mailed a copy of the Trustee's Notice of Sale which is  
 attached hereto unto the following persons or entities pursuant to the provisions of ORS  
 86.740(1). The Notice was sent by Certified and First Class Mail on December 22, 2003, in  
 letters addressed to:

John M. Kohler, Sr.  
 527 Upham Street  
 Klamath Falls, OR 97601-2486

Verna E. and Norman E. Kohler  
 527 Upham Street  
 Klamath Falls OR 97601-2486

*Joan Christopher*  
 JOAN CHRISTOPHER

SUBSCRIBED AND SWORN to before me this 22<sup>nd</sup> day of December, 2003.



*Tonya L. Anderson*  
 Notary Public for Oregon  
 My Commission Expires: 6/22/07

## 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 November 26 2003, in letters addressed to:

John M. Kohler, Sr.  
 4751 Bellm Drive, #39  
 Klamath Falls, OR 97603

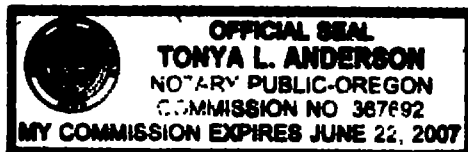
Fireside Thrift Company  
 P O Box 9080  
 Pleasanton CA 94566

Klamath County Tax Assessor  
 Klamath County Courthouse  
 603 Main Street  
 Klamath Falls OR 97601

Verna E. and Norman E. Kohler  
 7341 Hager Way  
 Klamath Falls OR 97603

Joan Christopher  
 JOAN CHRISTOPHER

SUBSCRIBED AND SWORN to before me this 26 day of November, 2003.



Tonya L. Anderson  
 Notary Public for Oregon  
 My Commission Expires: 6/22/07