

Aspen 58209

Affidavit of Publication

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State of Oregon, County of Klamath
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Linda Smith, County Clerk
Fee \$ 21.00 # of Pgs 1

STATE OF OREGON, COUNTY OF KLAMATH

I, John T. Walker,
being first duly sworn, depose and say
that I am 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 I know from
my personal knowledge that the

Legal # 6438

Notice of Sale/Kohler

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:
February 27, March 5, 12, 19, 2004

Total Cost: \$607.50

John T. Walker
Subscribed and sworn
before me on: March 19, 2004

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2008 dg

TRUSTEE'S NOTICE OF SALE

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 1999-2000, 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:

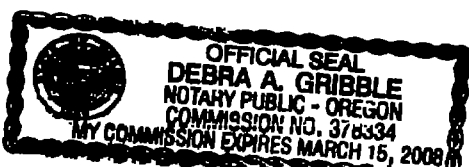
\$9,497.78, together with interest thereon at the rate of 12% per annum from May 11, 2003, until paid, plus a late fee of \$4.50 for each payment not made within 15 days of its due date, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms 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 20th day of April, 2004, 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 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 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 proceedings 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 them.

Dated this 26th day of November, 2004.
Davis, Gilstrap, Hearn, Saladoff & Smith, A Professional Corporation.
Jack Davis, Successor Trustee. (541) 482-3111.
#6438 February 27, March 5, 12, 19, 2004.



21.00
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