

State of Oregon, County of Klamath  
Recorded 11/30/04 11:54 a.m.  
Vol M04 Pg 82119-22  
Linda Smith, County Clerk  
Fee \$ 36<sup>00</sup> # of Pgs 4

FORM No. 885—TRUSTEE'S NOTICE OF SALE

Vol M04 Page 82119

ON

*P 374061*  
TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Linda L. Tipton

AmeriTitle, Trustee, (Blair M. Henderson, Successor Trustee), as grantor, to  
in favor of James H. Woodard, as trustee,  
dated July 5, 2002, ~~xxx~~, recorded July 15, 2002, ~~xxx~~, in the mortgage records of  
Klamath County, Oregon, in book/~~real~~/volume No. M02 at page 40065, or  
as fee/file/instrument/microfilm/reception No. n/a (indicate which), covering the following described real  
property situated in said county and state, to-wit:

Lot 3 in Block 3 of Klamath River Acres, according to the official plat thereof on file  
in the office of the County 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 a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the de-  
fault for which the foreclosure is made is grantor's failure to pay when due the following sums:

See Exhibit 1, Paragraph 1, attached hereto and by this reference made a part hereof.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust  
deed immediately due and payable, said sums being the following, to-wit:

See Exhibit 1, Paragraph 2, attached hereto and by this reference made a part hereof.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 17, 2004, ~~ix~~,  
at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at  
front steps of the Klamath County Courthouse, 316 Main Street,  
in the City of Klamath Falls, County of Klamath, State of 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 by grantor of the said trust deed, together with any interest which the  
grantor or grantor's 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 any person named in ORS 86.753 has the right, at any time prior to five days before the date  
last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the  
beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no  
default occurred) and by curing any other default complained of herein that is capable of being cured by tendering  
the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the per-  
formance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation  
and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest  
to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed,  
and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED August 5, 2004, ~~ix~~

*Blair M. Henderson*  
BLAIR M. HENDERSON, Successor Trustee

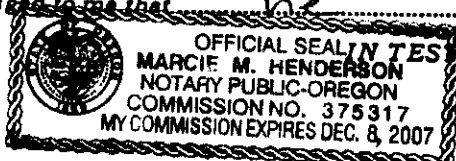
STATE OF OREGON,

County of Klamath } ss.

FORM No. 23—ACKNOWLEDGMENT  
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BE IT REMEMBERED, That on this 5<sup>th</sup> day of August, 2004  
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within  
named Blair M. Henderson

known to me to be the identical individual described in and who executed the within instrument and  
acknowledged to me that he executed the same freely and voluntarily.



TESTIMONY WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year last above written.

*Blair M. Henderson*  
Notary Public for Oregon  
My commission expires 12/8/07

36F

## 1.

- a. Monthly principal and interest installments of \$578.53 each for the following months: October 2002, November 2002, December 2002, January 2003, February 2003, March 2003, April 2003, May 2003, June 2003, July 2003, August 2003, September 2003, October 2003, November 2003, December 2003, April 2004, June 2004, and July 2004; plus accrued interest; delinquent property taxes, if any; cost of foreclosure report; attorney's fees; together with any sums due or that may become due under the Note or by reason of this foreclosure and any further advances made by Beneficiary as allowed by the Note and Trust Deed.
- b. Lien of the State of Oregon, Department of Revenue for Deferred Special Assessment properties, as set forth in notice:
- Recorded : July 3, 2001, Volume M01, page 32385, records of Klamath County, Oregon  
Account No. : 499865 and 873323
- c. A judgment for the amount herein stated and any other amounts due:
- Case No. : 03-3188CV  
Entered : October 1, 2003  
Amount : \$645.02, plus interest, costs, if any  
Creditor : Credit Bureau of Klamath County  
Debtor : Linda Tipton aka Linda Spears
- d. Terms and provisions contained in Order filed April 15, 2004, Case No. 04-1118CV, as follows:  
"A fine of \$600.00 as imposed and then suspended for thirty (30) days providing the defendant abates the nuisances from Defendant's property to the satisfaction of Klamath County."
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## 2.

- a. The principal sum of \$60,669.16 with interest on the principal balance at the rate of 7.74% per annum from August 7, 2002, until paid; delinquent property taxes, if any; cost of foreclosure report; attorney's fees, trustee's fees, together with any other sums due or that may become due under the Note or by reason of this foreclosure and any further advance made by Beneficiary as allowed by the Note and Trust Deed.
- b. Lien of the State of Oregon, Department of Revenue for Deferred Special Assessment properties, as set forth in notice:
- Recorded : July 3, 2001, Volume M01, page 32385, records of Klamath County, Oregon  
Account No. : 499865 and 873323
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- c. A judgment for the amount herein stated and any other amounts due:

Case No. : 03-3188CV  
 Entered : October 1, 2003  
 Amount : \$645.02, plus interest, costs, if any  
 Creditor : Credit Bureau of Klamath County  
 Debtor : Linda Tipton aka Linda Spears

- d. Terms and provisions contained in Order filed April 15, 2004, Case No. 04-1118CV, as follows:  
 "A fine of \$600.00 as imposed and then suspended for thirty (30) days providing the defendant abates the nuisances from Defendant's property to the satisfaction of Klamath County."
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### 3.

- a. Lien of the Department of Revenue of the State of Oregon, 955 Center Street N.E., Salem, Oregon, 97301-2555, for Deferred Special Assessment properties, as set forth in notice:

Recorded : July 3, 2001, Volume M01, page 32385, records of Klamath County, Oregon

Account No. : 499865 and 873323

- b. A judgment for the amount herein stated and any other amounts due:

Case No. : 03-3188CV  
 Entered : October 1, 2003  
 Amount : \$645.02, plus interest, costs, if any  
 Creditor : Credit Bureau of Klamath County  
 839 Main Street, Klamath Falls, OR 97601  
 Debtor : Linda Tipton aka Linda Spears

- c. Terms and provisions contained in Order filed April 15, 2004, Case No. 04-1118CV, Klamath County Planning Department, Plaintiff, 305 Main Street, Klamath Falls, Oregon, 97601, as follows: "A fine of \$600.00 as imposed and then suspended for thirty (30) days providing the defendant abates the nuisances from Defendant's property to the satisfaction of Klamath County."

**NOTICE REQUIRED BY THE FAIR DEBT  
COLLECTION PRACTICES ACT, 15 USC SECTION 1692**

1. The amount of the debt is stated in the Trustee's Notice of Sale.
2. The beneficiary named in the Trustee's Notice of Sale is the creditor to whom the debt is owed.
3. The debt described in the Trustee's Notice of Sale will be assumed to be valid by the trustee unless the debtor, within thirty (30) days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
4. If the debtor notifies the trustee in writing within thirty (30) days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.
5. If the creditor named as beneficiary in the Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within the thirty (30) days from the receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written requests or objections should be addressed to:  
  
BLAIR M. HENDERSON  
Attorney at Law  
426 Main Street  
Klamath Falls, OR 97601  
(541) 884-7731
7. This communication is an attempt to collect a debt, and any information obtained will be used for that purpose.