

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

FORM No. 885 - TRUSTEE'S NOTICE OF SALE.

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## TRUSTEE'S NOTICE OF SALE



Reference is made to that certain trust deed made by Russell Mailloux and Larry Caldwell, as grantor,  
 to Aspen Title & Escrow Co., as trustee,  
 in favor of The Heirs and Devisees of Louis William Lowe, as beneficiary,  
 dated January 20, 2000, recorded on February 1, 2000, in the Records of  
Klamath County, Oregon, in ☐ book ☐ reel ☒ volume No. M00 at page 4420-4421,  
 or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. \_\_\_\_\_ (indicate which), covering the following  
 described real property situated in that county and state, to-wit:

Tract 34, PLEASANT HOME TRACTS NO. 2, in the County of Klamath, State of Oregon.

CODE 41, MAP 3909-2AD, TL 5600

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made in grantor's failure to pay when due the following sums:

Installment payments of \$1,613.36 through April 28, 2004, Monthly Installments of \$330.00 from May 26, 2004, plus interest, real property taxes of \$1,951.60 plus interest.

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

- 1) \$43,687.61 plus interest at the rate of 8% per annum, from March 10, 2004;
- 2) Real Property taxes for the year 2002-2003 in the amount of \$364.07; plus interest at 1.333% per month;
- 3) Real Property taxes for the year 2003-2004 in the amount of \$753.91; plus interest at 1.333% per month;
- 4) Real Property taxes for the year 2004-2005 in the amount of \$833.62, plus interest at 1.333% per month.

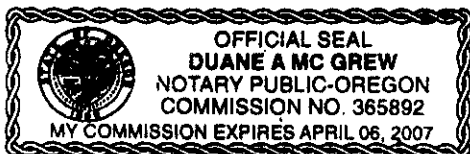
-Total amount due and owing: \$45,639.21.

WHEREFORE, notice is hereby given that the undersigned trustee will on May 16, 2005, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the entry foyer 316 Main Street, Klamath County Courthouse

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 real property described above which the grantor had or had power to convey at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of the 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 those sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee and attorney fees not exceeding the amounts provided by 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED December 10, 2004



Bradford J. Aspell, Trustee

122 South 5th Street

ADDRESS

Klamath Falls OR 97601 (541) 883-7754

CITY

STATE

ZIP

PHONE

State of Oregon, County of Klamath) ss.

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Duane A. McGrew, Notary Public for Oregon.  
12/10/04

Bradford J. Aspell, OSB #74015

Attorney for Trustee

SERVE:\*

\*If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in the name and address of party to be served.

Returned @ Counter

Duane A McGrew

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21