

Affidavit of Publication

State of Oregon, County of Klamath
Recorded 03/17/2005 2:38 p m
Vol M05 Pg 17544
Linda Smith, County Clerk
Fee \$ 21⁰⁰ # of Pgs 1

STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, 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 I know from my personal knowledge that the

Legal # 7131

Notice of Sale/Russell Mailloux &
Larry Caldwell

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

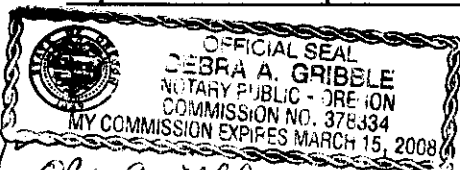
Insertion(s) in the following issues:
December 16, 23, 30, 2004, January 6, '05

Total Cost: \$728.00

Jeanine P. Day
Subscribed and sworn
before me on: January 6, 2005

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2008



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 Devises of Louis William Lowe, as beneficiary, dated January 20, 2000, recorded on February 1, 2000, in the Records of Klamath County, Oregon, in Volume No. M00 at page 4420-4421, 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:

Instalment 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, 2004, at the hour of 10:00 A.M., in accordance 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 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 of 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 grantors 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; Klamath Falls, OR 97601. (541) 883-7754.

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.

Bradford J. Aspell, OSB #74015, Attorney for Trustee. #7131 December 16, 23, 30, 2004, January 6, 2005.