

MTL-09452

State Of Oregon, County Of Klamath

M05-62279

08/19/2005 10:47:14 AM

Of Pages 10 Fee: \$66.00

AFFIDAVIT OF MAILING

STATE OF OREGON)
) ss,
County of Douglas)

I, Barbara L. Thomas, being first duly sworn, depose, say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original Trustee's Notice of Sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the attached Trustee's Notice of Sale by mailing an original thereof by first class and certified mail with return receipt requested to each of the parties named on the attached letter at their respective addresses.

Said parties include the grantor in the trust deed; any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice any parties having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest; and, any party requesting notice, as required by ORS 86.785.

Each of the notices so mailed was an original notice of sale signed by the trustee; each such notice was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Roseburg, Oregon, on April 26, 2005. With respect to each party listed herein, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each notice was mailed after the notice of default and election to sell described in said notice of sale was recorded.

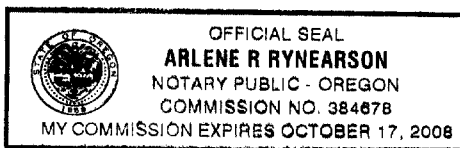
AMERITITLE, INC.

Barbara L. Thomas

Barbara L. Thomas, Assistant Secretary

Subscribed and sworn to before me this 26th day of April, 2005

Arlene R. Ryneerson



Return to: Amt
PO BOX 1609
Roseburg, OR 97470

66.00



April 25, 2005

ORVILLE LEE INSELMAN
4667 Boardman
Klamath Falls, OR 97603

RUSSELL G. MAILLOUX
P.O. Box 5080
Klamath Falls, OR 97601

LARRY W. CALDWELL
P.O. Box 5080
Klamath Falls, OR 97601

RUSSELL G. MAILLOUX
2033 Herbert Street
Klamath Falls, OR 97601

LARRY W. CALDWELL
2518 Patterson Street
Klamath Falls, OR 97603

KENT PEDERSON, Registered Agent for
CARTER-JONES COLLECTION SERVICE, INC.
1143 Pine Street
Klamath Falls, OR 97601

KENT PEDERSON, Registered Agent for
CARTER-JONES COLLECTIONS LLC
An Inactive Corporation
1143 Pine Street
Klamath Falls, OR 97601

STATE OF OREGON, Corporations Division
For CARTER-JONES COLLECTIONS LLC.,
An Inactive Oregon corporation
255 Capitol Street N.E.
Salem, OR 97310

NEAL G. BUCHANAN, Attorney for
CARTER-JONES COLLECTION SERVICE, INC.
435 Oak Avenue
Klamath Falls, OR 97601

CAPITAL ONE F.S.B.
P.O. Box 6700
Norcross, GA 30091-6700

CAPITAL ONE, F.S.B.
2001 Maywill Street
Richmond, VA 23230

KENNETH S. DUGAN, Registered Agent for
DUGAN CHEVROLET COMPANY LLC
An Inactive Corporation
522 Pacific Terrace
Klamath Falls, OR 97601

STATE OF OREGON, Corporations Division
For DUGAN CHEVROLET COMPANY LLC
An Inactive Oregon corporation
255 Capitol Street N.E.
Salem, OR 97310

KENNETH S. DUGAN, Registered Agent for
GEORGE DUGAN CHEVROLET CO.
An Inactive Corporation
522 Pacific Terrace
P.O. Box 1119
Klamath Falls, OR 97601

Continued on Page 2 attached.....



Page 2 Additional Addressees.....

STATE OF OREGON, Corporations Division
For GEORGE DUGAN CHEVROLET CO.
An Inactive corporation
255 Capitol Street, N.E.
Salem, OR 97310

Attached, and mailed separately to each of you by both first class and certified mail, is an original Trustee's Notice of Sale in connection with the foreclosure of a trust deed made by RUSSELL MAILLOUX and LARRY CALDWELL* in favor of BARBARA A. JOHNSON, Successor Trustee of the Nellie L. Packard Trust dated June 3, 1993. This notice is being mailed to you pursuant to Chapter 86 of the Oregon Revised Statutes. *Grantors interest was assumed by ORVILLE LEE INSELMAN by Bargain & Sale Deed recorded February 28, 2001 in Volume M01 at Page 7801, Klamath County Deed Records.

Please read the enclosed notice carefully and if you have any questions regarding your rights you should consult your attorney.

Sincerely,

AmeriTitle, Inc.

A handwritten signature in cursive script, appearing to read 'Barbara L. Thomas'.

Barbara L. Thomas
Assistant Secretary

BLT: BT
Order No.: 00063956



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by RUSSELL MAILLOUX and LARRY CALDWELL, not as tenants in common, but with full rights of survivorship, as Grantor*, to Aspen Title & Escrow, Inc. as Trustee in favor of BARBARA A. JOHNSON, Successor Trustee of the Nellie L. Packard Trust dated June 3, 1993 as beneficiary, dated December 12, 1999 and recorded December 14, 1999, in Volume M99 at Page 49101, Records of **Klamath** County, Oregon, covering the following described real property in said county and state:

*Grantors interest was assumed by Orville Lee Inselman by Bargain & Sale Deed recorded February 28, 2001 in Volume M01 at Page 7801, Klamath County Deed Records

Lots 35 and 36, Block 7, ST. FRANCIS PARK, in the County of Klamath and State of Oregon.

COMMONLY KNOWN AS: 4667 Boardman Avenue
Klamath Falls, OR

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; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

monthly payments in the amount of \$440.26, due for March, 2005, through present, plus late charges, delinquent property taxes and advances by beneficiary, if any.

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 \$ 56,881.23 plus interest, accrued late charges and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on September 7, 2005, at the hour of 10:00 o'clock A.M., Pacific Time, as established by, Oregon Revised Statutes, at the offices of AmeriTitle, Inc. located at 300 Klamath Avenue, in the City of Klamath Falls, County of **Klamath** and State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the grantor or his 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 Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary 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 performance 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 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, 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.

This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Dated this 15th day of April, 2005

AmeriTitle, Inc.

By: 
Barbara L. Thomas
Assistant Secretary

For further information regarding this foreclosure, please contact Barbara Thomas at (541) 672-6651 or barbie@ameri-title.com

BLT: BT
Order No.: 00063956

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 05-01400

Received for Service 04/28/05

I hereby certify that I received for service on
GARDNER, LUEANN
the within:

TRUSTEE'S NOTICE OF SALE

GARDNER, LUEANN
was served personally, and in person, at
4667 BOARDMAN
KLAMATH FALLS , OR, on 05/03/05,
at 08:05 hours.

All search and service was made within Klamath County, State of
Oregon.

Timothy M. Evinger, Sheriff
Klamath County, Oregon

By *Terri Alexander*
ALEXANDER, TERRI L

Copy to:

AMERITITLE-ROSEBURG
1495 N W GARDEN VALLEY BLVD
ROSEBURG

OR 97470

e

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 05-01400

Received for Service 04/28/05

I hereby certify that I received for service on
OCCUPANTS, ALL
the within:

TRUSTEE'S NOTICE OF SALE

OCCUPANTS, ALL
was served by leaving a true copy with
GARDNER, LUEANN
a person over the age of fourteen years who resides
at the place of abode of the within named located at
4667 BOARDMAN
KLAMATH FALLS , OR, on 05/03/05,
at 08:05 hours.

All search and service was made within Klamath County, State of
Oregon.

Timothy M. Evinger, Sheriff

Klamath County, Oregon

By Terri Alexander
ALEXANDER, TERRI L

Copy to:

AMERITITLE-ROSEBURG
1495 N W GARDEN VALLEY BLVD
ROSEBURG

OR 97470



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Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary 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 performance 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 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, 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.

This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Dated this 15th day of April, 2005

AmeriTitle, Inc.

By: 
Barbara L. Thomas
Assistant Secretary

For further information regarding this foreclosure, please contact Barbara Thomas at (541) 672-6651 or barbie@ameri-title.com

BLT: **BT**

Order No.: **00063956**

Affidavit of Publication

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 # 7638

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

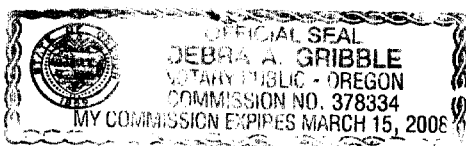
Insertion(s) in the following issues:
July 9, 16, 23, 30, 2005

Total Cost: \$764.40

Jeanine P Day
Subscribed and sworn
before me on: July 30, 2005

Debra A Gribble
Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S NOTICE OF SALE

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Dated this 15th day of April, 2005.

AmeriTitle, Inc.
By: Barbara L. Thomas, Assistant Secretary.
For further information regarding this foreclosure, please contact Barbara Thomas at (541) 672-6651 or barbie@ameri-title.com.

BLT:BT. Order No.: 00063956.
#7638 July 9, 16, 23, 30, 2005.