

M05-70489

Klamath County, Oregon

12/06/2005 11:29:22 AM

Pages 4 Fee: \$36.00

AFFIDAVIT OF MAILING

STATE OF OREGON)
) §
COUNTY OF JACKSON)

I, JOAN CHRISTOPHER, of DAVIS, HEARN, SALADOFF & SMITH, P.C. of Ashland, Oregon, hereby certify that I mailed a copy of the Trustee's Notice of Sale which is attached hereto unto the following persons or entities pursuant to the provisions of ORS 86.740(1). The Notice was sent by Certified and First Class Mail on July 2, 2005, in letters addressed to:

Aaron A Powless
4738 Sturdivant Street
Klamath Falls OR 97603

Aaron A Powless
223 N Spring Street
Klamath Falls OR 97601

Aaron A Powless
P O Box 5143
Klamath Falls OR 97601

Klamath County Tax Assessor
316 Main Street
Klamath Falls OR 97601

ABC Supply Company Inc
10801 A Street South
Tacoma WA 98444

Binder Machinery Company
P O Box 399
South Plainfield NJ 07080

State of Oregon
Employment Division
875 Union Street NE Rm 107
Salem OR 97311

Oregon Contractors Workers Comp Trust
C/O Wallace Klor & Mann PC
5800 Meadows Road #220
Lake Oswego OR 97035

Gorman Roofing Services Inc
c/o Bill Haberlach
201 W Main Street #3B
Medford OR 97501

Newton & Associates LLC
P O Box 8510
Metairie LA 70011

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LAW OFFICES OF
DAVIS, HEARN, SALADOFF & SMITH
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455

Affidavit of Mailing -1-

36-A

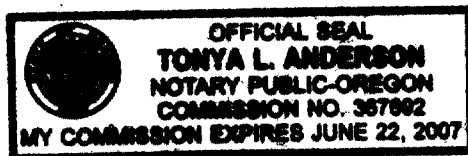
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American Sanitation Inc
3020 Vale Road
Klamath Falls OR 97603

Troy Smith
1293 Orchard View Ave NW
Salem OR 97304-1956

Joan Christopher
JOAN CHRISTOPHER

SUBSCRIBED AND SWORN to before me this 7th day of July, 2005.



Tonya L. Anderson
Notary Public for Oregon
My Commission Expires: 6/22/07

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by Aaron A. Powless, dba Aaron A. Powless Roofing, as grantor, to Aspen Title & Escrow, Inc., as trustee, to secure certain obligations in favor of Vernon G. Ludwig, as beneficiary, dated April 22, 1999, and recorded in Book M-99, Page 16542 of the Official Records of Klamath County, Oregon, on April 30, 1999, covering the following described real property, to wit:

Lot 4 and the adjacent southwesterly 10 feet of vacated alley, Block 60, SECOND HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of 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 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:

Monthly installments of \$514.30 per month, beginning with the installment due June 1, 2005, and monthly installments in the same amount due the 1st day of each month thereafter.

- By reason of said default, and grantor's failure to pay the real property taxes for fiscal years 2001-02 through 2004-05, 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:

\$21,859.75, together with interest thereon at the rate of 12% per annum from May 19, 2005, until paid, plus a late fee of 5% of any payment not received 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-05, Page No. 50940 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded July 5, 2005.


WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 29th day of November, 2005, at the hour of 9:30 o'clock a.m., Pacific Standard Time as established by Section 187.110, Oregon Revised Statutes, at the offices of Aspen Title & 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

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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 proceeding 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 then.

DATED this 11 day of July, 2005.

DAVIS, HEARN, SALADOFF & SMITH
A Professional Corporation



JACK DAVIS, Successor Trustee