

2006-020094

Klamath County, Oregon

Recording Requested By:
Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601



00005602200600200940020021

When Recorded Return To:

10/05/2006 03:18:32 PM

Fee: \$26.00

Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601

Until requested otherwise, send all tax statements:

Aspen: 63254

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

COVER SHEET

DOCUMENT: Affidavit of Publication
GRANTOR: Aaron A. Powless
TRUSTEE: Jack Davis, Attorney at Law
BOOK: M99
PAGE: 16542

LEGAL DESCRIPTION: See Attached

\$26-A

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 # 8635

Notice of Sale/Aaron A. Powless

Second Hot Springs Addition

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:
August 24, 31, September 7, 14, 2006

Total Cost: \$677.38

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: September 14, 2006

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, executed and delivered by Aaron A. Powless doing business as Aaron A. Powless Roofing, as grantor, to Aspen Title & Escrow, Inc., as trustee, to secure certain obligations in favor of Vernon G. Ludwig and Ofelia Ludwig, or the survivor, 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, according to the official plat thereof on file in the office of the 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 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 January 1, 2006 and monthly installments in the same amount due the same day of each month thereafter.

By reason of said default, and grantor's failure to pay all delinquent real property taxes, 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:

\$19,699.91, together with interest thereon at the rate of 12% per annum from December 6, 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-06, Page 08288 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded April 27, 2006.

WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 17th day of October, 2006, at the hour of 10:00 o'clock a.m., Pacific Daylight Time as established by Section 187.110, Oregon Revised Statutes, at the office of Aspen Title & Escrow, 525 Main Street, Klamath Falls, OR 97601, 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 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 26th day of May, 2006.

Davis, Hearn, Saladoff & Smith, A Professional Corporation. Jack Davis, Successor Trustee. #8635 August 24, 31, September 7, 14, 2006.

