

**2006-020098**

**Klamath County, Oregon**

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



00005606200600200980040042

10/05/2006 03:22:42 PM

Fee: \$36.00

When Recorded Return To:

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

Until requested otherwise, send all tax statements:

ASPEN: 63255

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

## **COVER SHEET**

**DOCUMENT:**      **Proof of Service**

**GRANTOR:**      **Aaron A. Powless**

**TRUSTEE:**      **Jack Davis, Attorney at Law**

**BOOK:**          **M99**

**PAGE:**          **16544**

**LEGAL DESCRIPTION:**    **See Attached**

\$36-A

IN THE KLAMATH COURT OF THE STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_: COURT CASE NO. \_\_\_\_\_

AARON POWLESS<sup>VS</sup>

County of KLAMATH

\_\_\_\_\_ LARRY Personal Service (personally and in person) \_\_\_\_\_  
 \_\_\_\_\_ DARR Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the " \_\_\_\_\_  
 \_\_\_\_\_ within named) \_\_\_\_\_  
 \_\_\_\_\_ Office Service (by serving the person apparently in charge) \_\_\_\_\_  
 \_\_\_\_\_ By posting (said residence) \_\_\_\_\_

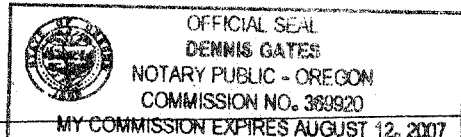
<input type="checkbox"/>	Summons	<input type="checkbox"/>	Writ of Garnishment	<input type="checkbox"/>	Small Claims
<input type="checkbox"/>	Motion	<input type="checkbox"/>	Order	<input type="checkbox"/>	Affidavit
<input type="checkbox"/>	Complaint	<input type="checkbox"/>	Citation	<input type="checkbox"/>	Subpoena
<input type="checkbox"/>	Petition	<input type="checkbox"/>	Notice	<input type="checkbox"/>	Decree
<input checked="" type="checkbox"/>	Other: TRUSTEES NOTICE OF SALE				

NOT FOUND: I certify that I received the within document for service on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
and after due and diligent search and inquiry, I have been unable to locate \_\_\_\_\_  
within the county of \_\_\_\_\_. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

12 day of May, 2006  
Dini ~~Lee~~

**Cleveland Process Serving, LLC.**  
**(541) 665-5162**



541-482-3111  
ATTN: JOANIE

Remit to: CPS, LLC.	Service Fee	\$ 50.00
P.O. Box 5358	Mileage	\$
Central Point, OR 97502	Rush/Emergency	\$
Date: 06-12-2006	Incorrect Add.	\$
CPS File No. 2848-K		\$
Client No.	Amount Paid	\$ 0.00
	TOTAL DUE	\$ \$50.00

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by Aaron Powless, 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 16544 of the Official Records of Klamath County, Oregon, on April 30, 1999, covering the following described real property, to wit:

Lot 2, Block 3, SUNNYLAND ADDITION IN 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 \$205.72 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:

\$10,788.46, 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 08289 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 17<sup>th</sup> 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 offices of Aspen Title & Escrow, Inc., 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

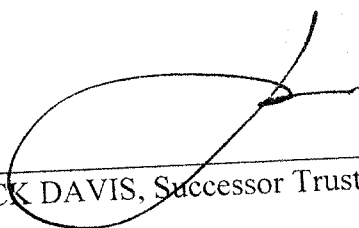
Trustee's Notice of Sale -1-

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

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 20th day of May, 2006.

DAVIS, HEARN, SALADOFF & SMITH  
A Professional Corporation

  
\_\_\_\_\_  
JACK DAVIS, Successor Trustee