

AFFIDAVIT OF MAILING NOTICE OF SALE IN LIEU OF SERVICE

STATE OF OREGON, County of Klamath, ss:

I, Scott D. MacArthur, 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 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 notice of sale by mailing a copy thereof by registered or certified mail to each of the following named persons at their respective last known addresses, to-wit:

NAME:

ADDRESS:

Kim A. Pine
State Scholarship Commission, c/o Dave N. Hicks1123 N. 8th Street, Klamath Falls, OR 97601
Justice Building, Salem, OR 97310

The foregoing includes any person, including the Department of Revenue or any other state agency, having alien or interest subsequent to the interest of the trustee in the trust deed if the lien or interest appears of record or the trustee or the beneficiary has actual notice of the lien or interest.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Scott D. MacArthur, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on January 28, 1993. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded and at least 90 days before the day fixed in said notice by the trustee for the trustee's sale. The original notice of sale was recorded on January 28, 1993 in the mortgage records of Klamath County at Vol. M93 at page 2082.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before me this 14th day of April, 1993.

(SEAL)

Camille Krieger
Notary Public for Oregon. My Commission Expires: 9-22-96AFFIDAVIT OF MAILING
TRUSTEE'S NOTICE OF SALE
IN LIEU OF SERVICERE: Trust Deed from
KIM A. PINE,
Grantorto
MICHAEL SMIRNOV,
Beneficiary

STATE OF OREGON, County of Klamath)ss.

I certify that the within instrument received for record on the ____ day of _____, 19__, at ____ o'clock __ M., and recorded in book/reel/ volume No. ____ on page ____ or as fee/file/instrument/microfilm/reception No. ____, Recorded of Deeds of said County.

Witness my hand and seal of County affixed.

By _____ Name _____ Title _____
Deputy

AFTER RECORDING RETURN TO:

Kosta, Spencer & MacArthur
439 Pine Street
Klamath Falls, OR 97601

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Sarah Parsons, Office Manager,
being first duly sworn, depose and say
that I am the principal clerk of the
publisher of the Herald and News
a newspaper of general circulation, as
defined by Chapter 193 ORS, printed and
published at Klamath Falls in the
aforesaid county and state; that the _____

LEGAL #5133

NOTICE OF DEFAULT

AND ELECTION TO SELL

a printed copy of which is hereto
annexed, was published in the entire
issue of said newspaper for _____

FOUR

(4 insertions) in the following issues:

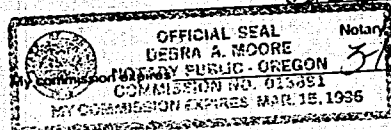
FEBRUARY 16, 23

MARCH 2, 9, 1993

Total Cost: \$400.40

Sarah L. Parsons

Subscribed and sworn to before me this 9TH
day of MARCH 1993



NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by KIM A. PINE, as grantor, to SCOTT D. MACARTHUR, as successor trustee, in favor of MICHAEL I. SMIRNOV, as beneficiary, dated January 6, 1986, recorded January 17, 1986, in the mortgage records of Klamath County, Oregon, in book/ reel/ volume No. M86 at page 877, covering the following described real property situated in said county and state, to-wit:

The Southerly 48 feet of Lot 2 and the Northwesterly 8 feet of vacated alley, adjoining Lot 2, all in block 5 of First Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County 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 a Notice of Default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes. The Default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Taxes from 1992-1993 in the amount of \$372.26, plus interest which is due and owing.

Taxes from 1991-1992 in the amount of \$369.59, plus interest which is due and owing.

Taxes from 1990-1991 in the amount of \$288.80, plus interest which is due and owing.

Taxes from 1989-1990 in the amount of \$312.32, plus interest which is due and owing.

Taxes from 1988-1989 in the amount of \$452.98, which has been paid.

Taxes from 1987-1988 in the amount of \$300.40, which has been paid.

Payments in the amount of \$200 per month from February 1991 and July 1991 through March 1992 and August 1992 through the present.

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 the following, to-wit: \$12,336.12 as of January 25, 1993 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 7, 1993 at the hour of 10 a.m. Standard time, as established by Section 187.110, Oregon Revised Statutes, at 439 Pine Street, 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 said described real property which the grantors had or had power to convey at the time of the execution by him of said trust deed, to satisfy the foregoing obligations thereby secured and the costs or their 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 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 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 said Section 86.753 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.

DATED: February 11, 1993.

Scott D. MacArthur
Successor Trustee

#5133 Feb. 16, 23, March 2, 9, 1993

AFFIDAVIT OF POSTING NOTICE OF SALE IN LIEU OF SERVICE

STATE OF OREGON, County of Klamath) ss.

I, Ted Lindow, being first duly sworn, depose 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 18 years and not the beneficiary or his successor in interest name in the notice of sale given under the terms of that certain trust deed described in said notice.

I posted the Notice of Sale of the real property in the Notice of Sale posting said notice on the premises of 1123 N. 8th Street:

NAME:

ADDRESS:

KIM A. PINE, Occupant

1123 N. 8th Street, Klamath Falls, OR 97601

Each of the notices so posted was certified to be a true copy of the original notice of sale by Scott D. MacArthur, attorney for the trustee named in said notice; and was posted by me on February 9, 1993. Each of said notices was posted after the Notice of Default and Election to Sell by the trustee was recorded and at least 90 days before the day fixed in said notice by the trustee for the trustee's sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.


 Ted Lindow

Subscribed and sworn to before me this 11th day of February, 1993.



(S E L)

Camille Krieger
 Notary Public for Oregon
 My Commission Expires: 9-22-96

CERTIFICATE OF POSTING

STATE OF OREGON, County of Klamath) ss.

I certify that the within instrument received for recording on the 19th day of April, 1993, at 9:09 o'clock A.M., and recorded in book/reel/volume No. on page 8033 or as fee/file/instrument/microfilm/reception No. 60019,
 Record of ~~Deeds~~ of said County.
 Mortgages

Witness my hand and seal of County affixed.

After Recording return to:
 Kosta, Spencer & MacArthur
 439 Pine Street
 Klamath Falls, OR 97601

Evelyn Biehn, County Clerk
 Name Title
 By Donna J. Mendenhall Deputy

Fee \$20.00