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ASPEN 04043679/F  
**AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE**  
 (after release from stay)

Vol. m96 Page 13275STATE OF OREGON, County of KLAMATH, ss:I, ANDREW A. PATTERSON, being first duly sworn, depose, and 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 attached Amended Trustee's Notice of Sale by mailing a copy thereof by registered or certified mail to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME

ADDRESS

THOMAS R. WELDING

1309 HILLIKER PLACE  
LIVERMORE, CALIFORNIA 94550

DAPHANE WELDING

1309 HILLIKER PLACE  
LIVERMORE, CALIFORNIA 94550

THOMAS R. WELDING

1317 HILLIKER PLACE  
LIVERMORE, CALIFORNIA 94550

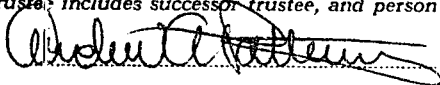
DAPHANE WELDING

1317 HILLIKER PLACE  
LIVERMORE, CALIFORNIA 94550

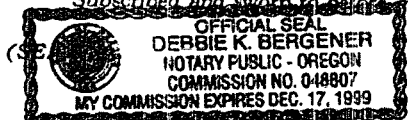
Said Amended Trustee's Notice of Sale was given in compliance with ORS 86.755(6), within 30 days after release from a stay of the foreclosure proceedings, and the above named persons include all of those persons listed in ORS 86.740 and ORS 86.750(1).

Each of the notices so mailed was certified to be a true copy of the original notice of sale by ANDREW A. PATTERSON, 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 APRIL 16, 1996, which was within 30 days after release from a stay of the foreclosure proceeding set forth therein.

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 16th day of APRIL, 1996.



Debbie K. Bergener  
 Notary Public for Oregon.  
 My commission expires 12-17-99

Note: An original unamended notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

**AFFIDAVIT OF MAILING  
 AMENDED TRUSTEE'S NOTICE OF SALE**  
 (after release from stay)

Re: Trust Deed From

Grantor

to

Trustee

AFTER RECORDING RETURN TO

ASPEN TITLE & ESCROW, INC  
 ATTN: FORECLOSURE DEPARTMENT

STATE OF OREGON,  
 County of \_\_\_\_\_ } ss.

I certify that the within instrument was 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. \_\_\_\_\_, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_ Deputy

(DON'T USE THIS  
 SPACE; RESERVED  
 FOR RECORDING  
 LABEL IN COUN-  
 TIES WHERE  
 USED.)

36 MAY -9 AM 1:36

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ASPEN 04043679/1F

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## AMENDED TRUSTEE'S NOTICE OF SALE (after release from stay)

Reference is made to that certain trust deed made by THOMAS R. WELDING and DAPHNE WELDING, husband and wife as joint tenants, as grantor, to ASPEN TITLE & ESCROW, INC, as trustee, in favor of MARTIN MACKOWSKI, a married man as to a 135/135 interest, as beneficiary, dated October 18, 1994, recorded November 4, 1994, in the mortgage records of KLAMATH County, Oregon, in book/RECORDED No. M94 at page 34208, and/or as fee PROPERTY TAX PARCEL No. 90641 (indicate which), covering the following described real property situated in said county and state, to-wit: Lot 17, Block 7, Tract 1140, Lynnewood First Addition in the City of Klamath Falls, in the County of Klamath, State of Oregon. Code 1 Map 3808-25DC-TL 1800

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 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Balance of monthly installments of \$1,406.25 due for August 1, September 1, 1995; and a late charge of \$140.63 due for August, 1995; subsequent amounts for assessments due under the terms and provisions of the Note and Trust Deed. The first Deed of Trust on the Livermore property is delinquent, thereby jeopardizing the security interest of the Beneficiary.

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: \$135,000.00 plus interest and late charges, thereon from August 1, 1994 at the rate of TWELVE POINT FIVE PERCENT PER ANNUM (12.5%) until paid and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed. Plus any and all property taxes owing.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on FEBRUARY 19, 1996, at the hour of 11:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, at FRONT ENTRY TO ASPEN TITLE & ESCROW, INC AT 525 MAIN STREET in the City of KLAMATH FALLS, County of KLAMATH, State of Oregon; however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on APRIL 12, 1996.

WHEREFORE, notice hereby is given that the undersigned trustee will on MAY 16, 1996, at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110 at FRONT ENTRY TO ASPEN TITLE & ESCROW, INC LOCATED AT 525 MAIN STREET in the City of KLAMATH FALLS, County of KLAMATH, State of Oregon, (which is the new date, time and place set for said sale) 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 grantor's 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 ORS 86.753 has the right, at any time prior to five days before the date last set for 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 ORS 86.753.

In construing this notice 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 APRIL 16, 1996

*[Signature]*

Trustee

State of Oregon, County of KLAMATH ss:

I, the undersigned, certify that I am the Attorney in Fact for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale as amended.

*[Signature]* Trustee

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 9th day of May, A.D., 19 96 at 11:36 o'clock AM, and duly recorded in Vol. M96 of Mortgages on Page 13275.

FEE \$15.00

Bernetha G. Letsch, County Clerk  
By *[Signature]*