

97 JUN 23 P3:21

AFTER RECORDING RETURN TO:

Theresa A. Kempenich
Eagle & Gates, P.L.L.C.
222 SW Columbia Suite 1400
Portland OR 97201

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

K-50262

I, Theresa A. Kempenich, 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 Notice of Sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following-named persons (or their legal representatives, where so indicated) at their respective last known addresses, to wit:

Name:Address:

Anthony S. Seid

2021 Kimberly Drive
Klamath Falls, OR 97603Rebecca Leonta Kyniston
aka Rebecca L. Rial-Seid
aka Rebecca Leonta Sweet4605 Memorie Lane
Klamath Falls, OR 97603

Empire Funding Corp.

RA: CT Corporation System
520 SW Yamhill, Suite 800
Portland, OR 97204

Klamath Irrigation District

6640 Kid Lane
Klamath Falls, OR 97603

Robert Earl Sweet, Jr.

4385 "A" Bartlett Avenue
Klamath Falls, OR 97603

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Linda Johansen, 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 Portland, Oregon, on February 18, 1997. With respect to each person listed above, one such Notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such Notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said Notices was mailed after the Notice of Default and Election to Sell described in said Notice of Sale was recorded.

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

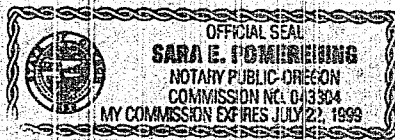
Theresa A. Kempenich
Theresa A. Kempenich

STATE OF OREGON)

: ss.

County of Multnomah)

SIGNED AND SWORN TO before me on the 19th day of June, 1997, by Theresa A. Kempenich, whom I have determined from personal knowledge or from satisfactory evidence is the person whose true signature is on the instrument.



Sara E. Potemkin
Notary Public for Oregon
My commission expires: 7-22-99

AFTER RECORDING. RETURN TO:

BOGLE & GATES, P.L.L.C.
 Theresa A. Kempenich
 222 SW Columbia Suite 1400
 Portland OR 97201

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Anthony S. Seid and Rebecca L. Rial-Seid, as grantor, to U.S. Bank of Washington, National Association, as trustee, in favor of U.S. Bancorp Mortgage Company, as beneficiary, recorded January 20, 1993, in the official records of Klamath County, Oregon, Volume M93, Page 1476, covering the following-described real property situated in said county and state, to wit:

The Southerly 100 Feet of Lot 12, VILLA SAINT CLAIR, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

Commonly known as 4385-A Bartlett Avenue, Klamath Falls, Oregon 97603

There are defaults by the grantor or other persons owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest. The defaults are (1) the failure to pay when due the following sums: monthly installments of \$263.59 each, beginning with October 1, 1996 through December 1, 1996, and monthly installments of \$268.52 each, beginning with January 1, 1997, until paid, plus monthly late charges of \$10.54 each, beginning October 16, 1996 through December 16, 1997; and a monthly late charge of \$10.74 due January 16, 1997; and \$10.00 for a property inspection; and (2) the failure of the grantor to occupy the property as their principal residence.

By reason of said default, the beneficiary or the beneficiary's successor in interest has declared all obligations secured by said trust deed immediately due and payable, said sums being the following: \$27,889.73, with interest thereon at the rate of 7.625 percent per annum, from September 1, 1996, until paid; plus monthly late charges of \$10.54 each, beginning October 16, 1996 through December 16, 1996; and a monthly late charge of \$10.74 due January 16, 1997, together with title expense, costs, trustee's fees and attorney fees incurred herein by reason of said default; and any further sums advanced by the beneficiary or the beneficiary's successor in interest for protection of the above-described real property and its interest in it.

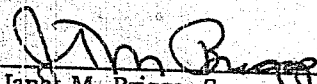
NOTICE IS HEREBY GIVEN that the beneficiary and trustee or their successors in interest, have elected and do hereby elect to sell at public auction to the highest bidder for cash the interest in the above-described property which the grantor(s) had or had the power to convey at the time of the execution of said trust deed, together with any interest which the grantor(s) or grantor(s) successors in interest acquired after the execution of said trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensation of the trustee or successor trustee and the reasonable attorney fees incurred. A Notice of Default and Election to Sell has been recorded pursuant to Section 86.735(3) of the Oregon Revised Statutes.

Said sale will be held on July 1, 1997, at the hour of 10 o'clock, A.M., based on the Standard of Time as established by Section 187.110, Oregon Revised Statutes, at the following place: at the front door entrance of the Klamath County Courthouse, 317

South 7th Street, 2nd Floor, City of Klamath Falls, County of Klamath Falls, State of Oregon, which is the hour, date and place fixed for said sale.

NOTICE IS FURTHER GIVEN that any person named in Section 86.753, Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by curing the above-described defaults and by payment to the beneficiary of the entire amount then due other than such portion as would not then be due had no default occurred, together with costs and trustee's and attorney fees, at any time prior to five days before the date last set for said sale.

Dated February 11, 1997.



Jane M. Briggs, Successor Trustee

FOR FURTHER INFORMATION
PLEASE CONTACT: Theresa Kempenich
(503) 222-1515

I, the undersigned, certify that I am one of the attorneys for the above-named trustee and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

Linda R. Johansen, OSB #90306
Attorney for Successor Trustee

CERTIFICATE OF MAILING

STATE OF OREGON)

) ss.

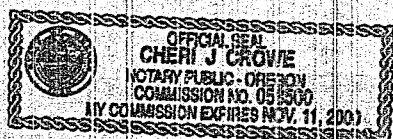
County of Multnomah)

I, Sophie C. Butler, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On March 3, 1997, I mailed a certified true copy of the Trustee's Notice of Sale, by First Class Mail, postage pre-paid, together with a statement of the date, time, and place at which substitute service was made upon Doran, Occupant, at 4385 - A Bartlett Avenue, Klamath Falls, Oregon 97603 on March 1, 1997 at the hour of 4:54 p.m.


Sophie C. Butler

152625

SUBSCRIBED AND SWORN TO BEFORE ME this 3rd day of March, 1997.


NOTARY PUBLIC FOR OREGON

NATIONWIDE PROCESS SERVICE, INC.
222 CENTURY TOWER
1201 S.W. 12TH AVENUE
PORTLAND, OREGON 97205
(503) 241-0636

PROOF OF SERVICE

19412

STATE OF OREGON)

) ss.

County of KLAMATH)

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 13 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, upon the **OCCUPANTS** at the following address:

4385-A BARTLETT AVENUE, KLAMATH FALLS, OREGON 97603, as follows:

Personal service upon ROBERT SWEET, by delivering said true copy, personally and in person, at the above address on 3/1, 1997 at 4:54 P.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 199 at _____ m.

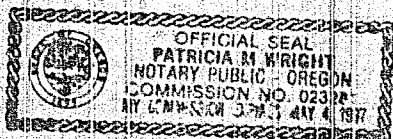
Substitute service upon DORAN BLAIR, by delivering said true copy, at his/her usual place of abode as indicated above, to ROBERT SWEET who is a person over the age of 14 years and a member of the household on 3/1, 1997 at 4:54 P.m.

Substitute service upon _____, by delivering said true copy, at his/her usual place of abode as indicated above, to _____ who is a person over the age of 14 years and a member of the household on _____, 199 at _____ m.

I declare under the penalty of perjury that the above statement is true and correct.

Kathleen Shaffer
Kathleen Shaffer 152625

SUBSCRIBED AND SWORN to before me this 4 day of MARCH, 1997.



[Signature]
Notary Public for Oregon

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title the 23rd day of June A.D., 1997 at 3:21 o'clock P. M., and duly recorded in Vol. M97 of Mortgages on Page 19407.

FEE \$35.00

By Bernetha G. Letsch, County Clerk
Kathleen Shaffer