

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

STATE OF OREGON                    )  
  )  
COUNTY OF MULTNOMAH        )       ss.:

I, Lisa A. Peterson, 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 Washington, a competent person over the age of 21 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 made, executed and delivered by RODNEY J. FRIESEN and PAMELA L. FRIESEN, as Grantor, to U.S. BANK OF WASHINGTON, N.A., as Trustee, to secure certain obligations in favor of UNITED STATES NATIONAL BANK OF OREGON, as Beneficiary, dated September 6, 1994, and recorded September 7, 1994, in Volume M94, page 28051 of the mortgage records of Klamath County, Oregon.

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 mail and certified mail, to the following-named persons at their last known address, to wit:

Rodney J. Friesen  
1420 Pleasant Avenue  
Klamath Falls, OR 97603

Pamela L. Friesen  
616 Front Street  
Klamath Falls, OR 97601

State of Oregon  
Employment Department  
801 Oak Avenue  
Klamath Falls, OR 97601

Oregon Department of Revenue  
955 Central St. N.E.  
Salem, OR 97310

Trustees of the Plumbers and Pipefitters  
National Pension Fund  
103 Oronco Street  
Alexandria, VA 22314

Klamath County Tax Collector  
305 Main Street  
Klamath Falls, OR 97601

Gary L. Hedlund  
Attorney at Law  
303 Pine Street  
Klamath Falls, OR 97601

Bonnie A. Lam  
Law Office of Bonnie A. Lam  
439 Pine Street  
Klamath Falls, OR 97601

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

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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 Wendell G. Kusnerus, the Trustee named in said Notice; each copy was deposited by me in the United States Post Office at Portland, Oregon, on the 29th day of October, 1998. With respect to each person listed above: 1) such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and 2) 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.

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

*Lisa A. Peterson*

Lisa A. Peterson

SUBSCRIBED and sworn to before me this 13th day of November 1998.



*Joan M. Korn*  
Notary Public for Oregon  
My commission expires: 10-15-2001

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed (the "Trust Deed") made, executed and delivered by RODNEY J. FRIESEN and PAMELA J. FRIESEN, as Grantor, to U.S. BANK OF WASHINGTON, N.A., as Trustee, to secure certain obligations in favor of UNITED STATES NATIONAL BANK OF OREGON, as Beneficiary, dated September 6, 1994, and recorded September 7, 1994, in Volume M94, page 28051, of the mortgage records of Klamath County, Oregon, covering the following described real property situated in such county and state:

Lots 30, 31 and 32 in Block 6 of INDUSTRIAL 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.

U.S. BANK NATIONAL ASSOCIATION is successor by merger to United States National Bank of Oregon and is now the Beneficiary of the Trust Deed.

Wendell G. Kusnerus was appointed Successor Trustee by a certain instrument dated October 9, 1998, and recorded October 15, 1998, in Volume M98, page 37817, of the records of Klamath County, Oregon, and is now vested with all the powers of said former Trustee.

Beneficiary has elected to sell said real property to satisfy the obligations secured by the Trust Deed and to foreclose the Trust Deed by advertisement and sale. The default for which the foreclosure is made is the failure of Grantor to pay when due the following sums:

(a) The failure of the Grantor to pay when due 16 monthly payments of \$407.23 each, due on July 1, 1997, and on the first day of each month thereafter. As of October 9, 1998, the total amount of monthly payments in default was \$6,515.68.

(b) The failure of the Grantor to pay late charges in the amount of \$305.40, as of October 9, 1998, plus costs totaling \$1,950 for a Phase I Environmental report, \$277.50 for a preliminary title report, \$257.00 for a trustee's sale guarantee, and \$42.75 for a UCC search.

(c) The failure of Grantor to pay property taxes on the property subject to the trust deed. As of October 9, 1998, the amount of such taxes totaled \$1,940.93.

By reason of said default, Beneficiary has declared the entire unpaid balance of all obligations secured by the Trust Deed, together with the interest thereon, immediately due and payable, said sums being the following, to wit:

\$41,245.02, together with interest thereon at the rate of 10.03 percent per annum from October 9, 1998, until paid.

The Beneficiary and the Successor Trustee have elected to sell the property to satisfy the obligation secured. A notice of default and election to sell and to foreclose was duly recorded on

October 15, 1998, in Volume M98, page 37817 of said Klamath County records, reference thereto hereby being expressly made.

**WHEREFORE, NOTICE HEREBY IS GIVEN**, that the undersigned Trustee or Trustee's attorney will, on the 12TH day of MARCH, 1999, at the hour of 10:00 A.M. standard time as established by ORS 187.110, at the front steps of the Klamath County Courthouse, 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 Grantor had or had power to convey at the time of the execution by the Grantor of the Trust Deed, together with any interest which the Grantor or their successors in interest acquired after the execution of the Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including the cost of a title search, a reasonable charge by Trustee, and a reasonable attorneys' fee for Trustee's attorneys. Notice is further given that Grantor, or any person named in ORS 86.753, has the right, at any time prior to five days before the Trustee's sale, to require that the foreclosure proceeding be dismissed and the Trust Deed reinstated by the payment of the entire amount due (other than such portion of the principal as would not be due had no default occurred) under the terms of the Trust Deed and the obligations secured thereby, including all costs and expenses actually incurred and Trustee's and attorneys' fees as provided by ORS 86.753.

In construing this notice the word "Grantor" includes any successor in interest of Grantor, as well as any other person owing an obligation the performance of which is secured by the Trust Deed and their successors in interest; the word "Trustee" includes any successor trustee, and the word "Beneficiary" includes any successor in interest of Beneficiary named in the Trust Deed.

DATED at Portland, Oregon, October 29, 1998.

Wendell G. Kusnerus

WENDELL G. KUSNERUS, Trustee

U.S. Bancorp

Western Region Legal Department

P. O. Box 2200

Portland, Oregon 97208-2200

(503) 275-7278

STATE OF OREGON )

COUNTY OF MULTNOMAH )

ss.:

I, the undersigned, certify that I am the attorney or 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.

/s/ WENDELL G. KUSNERUS

Attorney for said Trustee

STATE OF OREGON : COUNTY OF KLAMATH:

ss.

Filed for record at request of U.S. Bancorp the 11th day  
of March A.D., 1999 at 3:33 o'clock P. M., and duly recorded in Vol. M99  
of Mortgages on Page 8659

FEE \$25.00

Linda Smith, County Clerk

by Kathleen Rose