

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE	
RE: Trust Deed from David L. Boyle, et al.	Grantor
Richard L. Biggs,	to
	Successor Trustee
AFTER RECORDING RETURN TO	
Richard L. Biggs, P.C. Attorney at Law PMB 267, 6327-C SW Capitol Hwy. Portland, OR 97201	

State of Oregon, County of Klamath
 Recorded 12/26/01 11:15 A m.
 Vol M01, Pg 65788
 Linda Smith, County Clerk
 Fee \$ 41.00 # of Pgs 5

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah) ss:

I, Molly M. Luoto, 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 beneficiary's successor in interest named in the attached original amended notice of sale given under the terms of that certain 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 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

See attached Exhibit 1.

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 Molly M. Luoto, 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 Wilsonville, Oregon on Nov. 5, 2001, 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.



Molly M. Luoto

Subscribed and sworn to before me on Nov. 7, 2001,
 By Molly M. Luoto.

Laura L. Henderson
 Notary Public for Oregon.

Exhibit 1 – Affidavit of Mailing Amended Trustee's Notice of Sale

Occupants
608 East 1st Street
Merrill, OR 97633

David L. Boyle
608 East 1st Street
Merrill, OR 97633

Susan Boyle
608 East 1st Street
Merrill, OR 97633

David L. Boyle
PO Box 417
Merrill, OR 97633

Susan Boyle
PO Box 417
Merrill, OR 97633

Russ Berrie & Co., Inc.
A New Jersey Corporation
111 Bauer Drive
Oakland, NJ 07436

Donald R. Slayton, Esq.
Attorney for Russ Berrie & Co.
440 E. Broadway, Suite e160
Eugene, OR 97401

George Zoltan Lefton Co.
c/o Brian M. Sullivan, Esq.
3526 SW Corbett Avenue
Portland, OR 97201

Eric W. Olsen, Esq.
PO Box 12829
Salem, OR 97309

AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by David L. Boyle and Susan Boyle, as grantors, to Aspen Title and Escrow, as trustee, in favor of Associates Financial Services Company of Oregon, Inc., a division of CitiFinancial, Inc., as beneficiary, dated May 31, 2000, recorded June 2, 2000, in the mortgage records of Klamath County, Oregon, as Book M-00, Page 20029, covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 5, Block 1, TERWILLIGER ADDITION TO THE CITY OF MERRILL,
in the County of Klamath, State of Oregon.

(The title company advises the property address is 608 E. 1st Street, Merrill, 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 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:

Partial payment for October 2000, and monthly payments for November 2000 through October 2001, plus expenses, for a total of \$11,340.44, plus real property taxes for 2000-01 and that portion now due for 2001-02.

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:

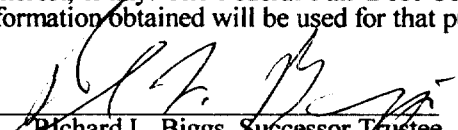
As of June 13, 2001, the principal sum of \$70,258.56 plus interest; plus any sums advanced by the beneficiary or beneficiary's successor in interest for the protection of the above-described property, plus attorney and trustee's fees incurred by reason of said default.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on November 26, 2001, at the hour of 11:00 a.m., in accord with the standard of time established by ORS 187.110, at 2nd Floor of Klamath County Courthouse, 316 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 October 17, 2001.

WHEREFORE, notice hereby is given that the undersigned trustee will on **January 3, 2002, at the hour of 11:00 a.m.**, in accord with the standard of time established by ORS 187.110, at **2nd Floor of Klamath County Courthouse, 316 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 by grantor 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. The Federal Fair Debt Collection Practices Act requires we state: This is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED October 29, 2001.


Richard L. Biggs, Successor Trustee
For information, call (503) 227-6922

State of Oregon, County of Multnomah) ss:

I, the undersigned, certify that the foregoing is a complete and exact copy of the original amended trustee's notice of sale.

For said Trustee

Affidavit of Publication

65791

STATE OF OREGON, COUNTY OF KLAMATH

I, Larry L. Wells, Business Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state: that the

Legal # 4468

Notice of Sale/Boyle

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)

Four

Insertion(s) in the following issues:

November 6, 13, 20, 27, 2001

Total Cost: \$756.00

Subscribed and sworn

before me on: November 27, 2001

Notary Public of Oregon

My commission expires March 15, 2004

AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by David L. Boyle and Susan Boyle, as grantors, to Aspen Title and Escrow, as trustee, in favor of Associates Financial Services Company of Oregon, Inc., a division of CitiFinancial, Inc., as beneficiary, dated May 31, 2000, recorded June 2, 2000, in the mortgage records of Klamath County, Oregon, as Book M-00, Page 20029, covering the following described real property situated in the

above-mentioned county and state, to-wit: Lot 5, Block 1, TERWILLIGER ADDITION TO THE CITY OF MERRILL, in the County of Klamath, State of Oregon. (The title company advises the property address is 608 E. 1st Street, Merrill, 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 Oregon Revised Statutes 86.753(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Partial payment for October 2000, and monthly payments for November 2000 through October 2001, plus expenses, for a total of \$11,340.44, plus real property taxes for 2000-01 and that portion now due for 2001-02.

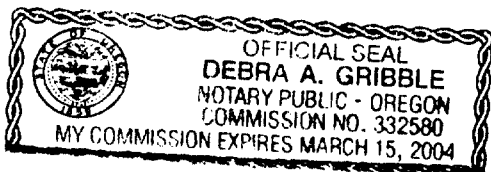
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following to-wit: As of June 13, 2001, the principal sum of \$70,258.56 plus interest; plus any sums advanced by the beneficiary or beneficiary's successor in interest for the protection of the above-described property, plus attorney and trustee's fees incurred by reason of said default.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on November 26, 2001, at the hour of 11:00 AM in accord with the standard of time established by ORS 187.110, at 2nd Floor of Klamath County Courthouse, 316 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 stated 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 October 17, 2001.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 3, 2002, at the hour of 11:00 AM, in accord with the standard of time established by ORS 187.110, at 2nd Floor of Klamath County

Courthouse, 316 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 by grantor 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. The Federal Fair Debt Collection Practices Act requires we state: This is an attempt to collect a debt and any information obtained will be used for that purpose.

Dated: October 29, 2001. Richard L. Biggs, Successor Trustee. For information, call (503) 227-6922.

#4468 November 6, 13, 20, 27, 2001.