'02 DEC 19 PM2:48

Vol M02 Page 74281

Aspen 55509

AFFIDAVIT OF MAILING

State of Oregon, County of Klamath
Recorded 12/19/2002 2:48 p m.
Vol M02, Pg 74281-88
Linda Smith, County Clerk
Fee $ 56.00 # of Pgs 8

STATE OF OREGON)
) §
COUNTY OF JACKSON)

I, JOAN CHRISTOPHER, of DAVIS, GILSTRAP, HEARN, SALADOFF & SMITH, P.C. of Ashland, Oregon, hereby certify that I mailed a copy of the Trustee's Notice of Sale which is attached hereto unto the following persons or entities pursuant to the provisions of ORS 86.740(1). The Notice was sent by Certified and First Class Mail on August 9, 2002, in letters addressed to:

Klamath County Tax Collector
305 Main Street
Klamath Falls OR 97601

Klamath Irrigation District
6640 KID Lane
Klamath Falls OR 97603

Forest Products Credit Union
200 N 7th Street
Klamath Falls OR 97601

Tom C. Weeks
P O Box 783
Merrill OR 97633

Joan Christopher
JOAN CHRISTOPHER

SUBSCRIBED AND SWORN to before me this 9th day of August, 2002.

OFFICIAL SEAL
DAWN CALDWELL
NOTARY PUBLIC-OREGON
COMMISSION NO 313485
MY COMMISSION EXPIRES AUG 26, 2002

Dawn Caldwell
Notary Public for Oregon
My Commission Expires: 8/26/02

LAW OFFICES OF
DAVIS, GILSTRAP, HEARN, SALADOFF & SMITH
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455

56A

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by Tom C. Weeks, as grantor, to Aspen Title & Escrow, Inc., as trustee, to secure certain obligations in favor of George B. Hutchinson, Trustee of the Earthwatcher Loving Trust, as beneficiary, dated September 2, 1997, and recorded in Volume M-97, Page 31461 of the Official Records of Klamath County, Oregon, on September 26, 1997, covering the following described real property, to wit:

See Exhibit "A" attached.

This also includes the 1975 Flamingo Mobile Home on the property - Key No. M51393 and Vehicle I.D. No. 70F3UOF11806556.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said trust deed by advertisement and sale. The default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

> The entire sum, principal of $35,000 and interest, is now fully due and payable, plus a late fee of $17.50 per month for any payment not received within 15 days of its due date.

By reason of said default, and grantor's failure to pay real property taxes for tax years 1999-2000, 2000-2001 and 2001-2002, and personal property taxes for tax years 2001-2002, the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following to wit:

> $35,000, together with interest thereon at the rate of 12% per annum from April 15, 2002, until paid, plus a late fee of $17.50 for any payment not received within 15 days of its due date, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed.

A notice of default and election to sell and to foreclose was duly recorded in Volume M02, Page 44770 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded August 8, 2002.

WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 6th day of January, 2003, at the hour of 10:00 o'clock a.m., Pacific Standard Time as established by Section 187.110, Oregon Revised Statutes, at the offices of Aspen Title & Escrow, Inc., at 525

LAW OFFICES OF
DAVIS, GILSTRAP, HEARN, SALADOFF & SMITH
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455

Main Street, Klamath Falls, Oregon, 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 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 certain persons referred to in the Oregon Revised Statutes have the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred) together with costs, trustee's and attorney's fees at any time prior to five days before the date of said sale, provided that all other defaults referred to above are cured by then.

DATED this 9th day of August, 2002.

DAVIS, GILSTRAP, HEARN,
SALADOFF & SMITH
A Professional Corporation

JACK DAVIS, Successor Trustee

74284

Exhibit A

A portion of Government Lot 15, Section 16, Township 41 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point in the Southeasterly right of way line of the County Road known as the Depot Road, extending from the City of Malin, Oregon, to the Great Northern Railroad Depot, which point of beginning bears South 89° 59' East 296.4 feet and South 256.9 feet and North 71° 00' East a distance of 308.4 feet from the brass cap monument making the Northeast corner of Lot 14, Section 16, Township 41 South, Range 12 East of the Willamette Meridian; thence South, parallel to the West line of Lot 15 of said Section 16, a distance of 176.31 feet; thence North 89° 34' East a distance of 132.64 feet, more or less to the Southwest corner of that certain parcel of land deeded to Clifford D. King and recorded in Klamath County Deed Records, Volume 151 at Page 122, as it is now fenced and occupied; thence North 1° 23' 30" West along the fence line marking the Westerly boundary of the King property a distance of 217.8 feet to the Southwesterly line of the said Depot Road; which point is the Northwesterly corner of said King property as fenced and occupied; thence South 71° 00' West a distance of 134.6 feet, more or less, to the point of beginning.

IN THE _____ COURT OF THE STATE OF OREGON
COUNTY OF JACKSON : COURT CASE NO. 74285

TOM C WEEKS

vs

GEORGE B HUTCHINSON, TRUSTEE OF THE EARTHWATCHER LOVING TRUST

PROOF OF SERVICE

STATE OF OREGON)
) SS.
County of JACKSON

I hereby certify that on the 14 day of August, 20 02, at the hour of 1640
I served OCCUPANTS, JOHN DOE . by

X Personal Service (personally and in person)
_____ Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)
_____ Office Service (by serving the person apparently in charge)
_____ By posting (said residence)

A certified/true copy of:

_____	Summons	_____	Writ of Garnishment	_____	Small Claims
_____	Motion	_____	Order	_____	Affidavit
_____	Complaint	_____	Citation	_____	Subpoena
_____	Petition	_____	Notice	_____	Decree
X	Other: TRUSTEES NOTICE OF SALE				

Together with a copy of _____

To OCCUPANTS, JOHN DOE AND ALL OTHERS At 1734 DEPOT RD MALIN, OR.97632

NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 20 _____ and after due and diligent search and inquiry, I have been unable to locate _____ within the county of _____. Dated this _____ day of _____, 20 _____

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this 19 day of August 20 02

Kathleen Shaffer
KATHLEEN SHAFFER (#25)
Cleveland & Carl Investigation Company
(541) 535-6005

Kristeen L. Martin
OFFICIAL SEAL
KRISTEEN L. MARTIN
NOTARY PUBLIC-OREGON
COMMISSION NO. 359690
MY COMMISSION EXPIRES JULY 23, 2006

Papers Received From DAVIS, GILSTRAP, HARRIS, HEARN
515 E. MAIN ST.
ASHLAND
OR 97520-
FEDERAL ID # 93-1262071
503-482-3111
ATTN: JOAN

Remit to: CCIC, Inc. P.O. Box 1290 Talent, OR 97540		Service Fee	$ 25.
		Mileage	$
		Rush/Emergency	$
Date:	08-15-2002	Incorrect Add.	$
CCIC File No.	4708-K		$
Client No.		Amount Paid	$ 0.
HUTCHINSON		TOTAL DUE	$ $25.

AUG 19 2002

IN THE COURT FOR THE STATE OF OREGON

COUNTY OF JACKSON COURT CASE# 74286

TOM C WEEKS

PLAINTIFF(S)

VS

GEORGE B HUTCHINSON, TRUSTEE OF THE
EARTHWATCHER LOVING TRUST

DEFENDANT(S)

AFFIDAVIT OF MAILING

STATE OF OREGON)
) SS.
COUNTY OF JACKSON)

I, THE UNDERSIGNED, BEING FIRST DULY SWORN ON OATH, DEPOSE AND SAY, THAT ON THE 15 DAY OF August, 2002 I DID CAUSE TO BE DEPOSITED A CERTIFIED COPY OF TRUSTEE'S NOTICE OF SALE TOGETHER WITH A COPY OF THE PROOF OF SERVICE, IN THE UNITED STATES MAIL AT TALENT, OREGON, POSTAGE PREPAID THEREON, IN A SEALED ENVELOPE, ADDRESSED TO:

OCCUPANTS, JOHN DOE

AND ALL OTHER OCCUPANTS

1734 DEPOT RD

MALIN,OR

97632

CLEVELAND AND CARL INVESTIGATION
P.O. BOX 1290
TALENT, OR. 97540
(541) 535-6005

SUBSCRIBED TO AND SWORN TO BEFORE ME
THIS 15 DAY OF August 2002

OFFICIAL SEAL
DENNIS GATES
NOTARY PUBLIC - OREGON
COMMISSION NO. 326118
MY COMMISSION EXPIRES AUGUST 12, 2003

Affidavit of Publication

74287

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 # 5325
Notice of Sale/Weeks

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 13, 20, 27, December 4, 2002

Total Cost: $837.00

Larry L. Wells
Subscribed and sworn
before me on: December 4, 2002

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004

OFFICIAL SEAL
DEBRA A. GRIBBLE
NOTARY PUBLIC - OREGON
COMMISSION NO. 332580
MY COMMISSION EXPIRES MARCH 15, 2004

TRUSTEE'S NOTICE OF SALE

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This also includes the [illegible] Mobile Home on the property, Key No. M51393 and [illegible] ID No. 20F30 OF 118065.56.

Both the beneficiary and the [illegible] have elected [illegible] the [illegible] said trust deed and to foreclose said trust deed by advertisement and sale. The default for which the said sale is [illegible] grantor's failure to pay when due the following sums owing on said obligations which sums are now past due, owing and delinquent:

1. The entire sum principal of $35,000 and interest is now fully due and payable, plus a late fee of $17.50 per month for any payment not received within 15 days of its due date.

By reason of said default, and grantor's failure to pay real property taxes for tax years 1999-2000, 2000-2001 and 2001-2002, and personal property taxes for tax years 2001-2002, the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following to wit:

$35,000, together with interest thereon at the rate of 12% per annum from April 15, 2002, until paid, plus a late fee of $17.50 for any payment not received within 15 days of its due date, plus trustee's fees, attorney's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms of said trust deed.

A notice of default and election to sell and to foreclose was duly recorded in Volume M02, Page 44770 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded August 8, 2002.

WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 6th day of January, 2003, at the hour of 10:00 AM, Pacific Standard Time, at [illegible] established by [illegible] 187.110, Oregon Revised Statutes, at

74288

The offices of Aspen Title & Escrow, Inc. at 525 Main Street, Klamath Falls, Oregon, 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 his 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 certain persons referred to in the Oregon Revised Statutes have the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred) together with costs, trustee's and attorney's fees at any time prior to five days before the date [illegible]

Dated this 9th day of August, 2002. Davis, Gilstrap, Hearn, Salladoff & Smith, A Professional Corporation. Jack Davis, Successor Trustee. #5325, November 13, 20, 27, December 4, 2002.