

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from
Norman Kohler & Jean Kohler

TO

State of Oregon, County of Klamath
Recorded 04/01/2003 9:36 A.m.
Vol M03 Pg 19508 - 12
Linda Smith, County Clerk
Fee \$ 41 # of Pgs 5

Willem P. Slootweg & Ina C. Slootweg, Trustees, Beneficiary

After recording return to:
MacArthur & Bennett, P.C.
280 Main Street
Klamath Falls, OR 97601

STATE OF OREGON, County of Klamath) ss.

I, Scott D. MacArthur, 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 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 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:

Norman Kohler, 7341 Hager Way, Klamath Falls, OR 97603.

Jean Kohler, 7341 Hager Way, Klamath Falls, OR 97603.

State of Oregon, County of Klamath, Klamath County tax Collector, P.O. Box 340, Klamath Falls, OR 97601

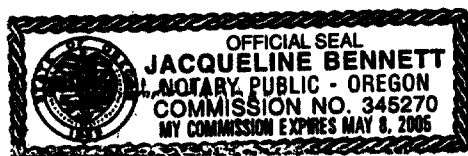
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 Scott D. MacArthur, 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 Klamath Falls, Oregon, on November 27, 2002. 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.

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

Scott D. MacArthur
Scott D. MacArthur, Successor Trustee

Subscribed and sworn to before me this 1st day of April, 2002.



Jacqueline Bennett
Notary Public for Oregon
My commission expires May 8, 2005

AFFIDAVIT OF ~~POSTING~~ NOTICE OF SALE IN LIEU OF SERVICE

STATE OF OREGON, County of Klamath) ss.

I, Cale Arriola, being first duly sworn, depose 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 18 years and not the beneficiary or his successor in interest name in the notice of sale given under the terms of that certain trust deed described in said notice.

I ^{served} ~~posted~~ the Notice of Sale of the real property in the Notice of Sale ^{serving} ~~posting~~ said notice on the premises of:

NAME:

Norman Kohler
Jean Kohler

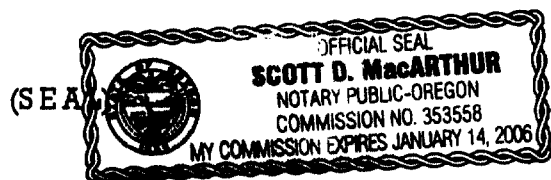
ADDRESS:

7341 Hager Way
Klamath Falls, Oregon 97603

Each of the notices so posted was certified to be a true copy of the original notice of sale by Scott D. MacArthur, attorney for the trustee named in said notice; and was ^{served} ~~posted~~ by me on 12-07-02. Each of said notices was ^{served} ~~posted~~ after the Notice of Default and Election to Sell by the trustee was recorded and at least 90 days before the day fixed in said notice by the trustee for the trustee's sale.

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 9th day of December, 2002.



Scott D. MacArthur
Notary Public for Oregon

My Commission Expires: 1/14/06

CERTIFICATE OF POSTING

After Recording return to:
MacArthur & Bennett, P.C.
280 Main Street
Klamath Falls, OR 97601

**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 # 5470

Notice of Sale/Kohler

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:

February 5, 12, 19, 26, 2003

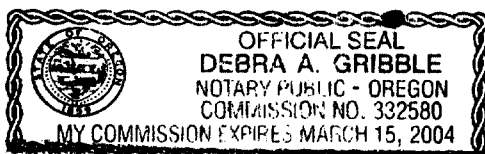
Total Cost: \$823.50

Subscribed and sworn

before me on: February 26, 2003

Notary Public of Oregon

My commission expires March 15, 2004



**NOTICE OF
DEFAULT AND
ELECTION TO
SELL**

Reference is made to that certain trust deed made by NORMAN E. KOHLER and JEAN A. KOHLER, as grantor, to KLAMATH COUNTY TITLE COMPANY, as trustee, in favor of WILLEM P. SLOOTWEG and INA C. SLOOTWEG, TRUSTEES OF THE SLOOTWEG LOVING TRUST, dated July 3, 1991 as beneficiary, dated April 25, 1997, recorded April 30, 1997, in the mortgage records of Klamath County, Oregon, in book/reel/ volume No. M97 at page 13099, covering the following described real property situated in said county and state, to-wit:

Lot 10 HAGER ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. AS TO THAT CERTAIN MOBILE HOME DESCRIBED AS FOLLOWS: 1974 WESTM, HT, SERIAL 70A303106453037, THIS INSTRUMENT SHALL CONSTITUTE A SECURITY AGREEMENT ENTITLING THE BENEFICIARY TO ALL RIGHTS AND REMEDIES PROVIDED UNDER THE UNIFORM COMMERCIAL CODE. SAID MOBILE HOME MAY NOT BE REMOVED FROM THE PROPERTY DESCRIBED HEREIN UNTIL THE BALANCE SECURED HEREBY HAS BEEN PAID IN FULL, OR WITH PRIOR WRITTEN CONSENT OF THE BENEFICIARY.

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 Section 86.735(3) of Oregon Revised Statutes. The Default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Taxes for the fiscal year 1999-2000, delinquent in the sum of \$330.84, plus interest. Taxes for the fiscal year 2000-2001, delinquent in the sum of \$201.82, plus interest. Taxes for the fiscal year 2001-2002, delinquent in the sum of \$399.16, plus interest. Taxes for the fiscal year 1998-1999, on the manufactured dwelling delinquent in the sum of \$101.21, plus interest. Taxes for the fiscal year 1999-2000, on the manufactured dwelling delinquent in the sum of \$103.65, plus interest. Taxes for the fiscal year 2000-2001, on the manufactured dwelling delinquent in the sum of \$90.55, plus interest. Taxes for the fiscal year 2001-2002, on the manufactured dwelling delinquent in the sum of \$74.98, plus interest. Payments in the amount of \$225.13 per month from June 1999, December 1999, April 2000, December 2001 and September 2002 through the present.

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: \$12,595.77 as of August 2, 2002, plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 7, 2003 at the hour of 10:00 AM Standard time, as established by Section 187.110, Oregon Revised Statutes, at 280 Main Street, 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 grantors had or had power to convey at the time of the execution by him of said trust deed, to satisfy the foregoing obligations thereby secured and the costs or their successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs or their 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 Section 86.735 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 Section 86.753 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, 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: January 30, 2003. Scott D. MacArthur, Successor Trustee.
#5470 February 5, 12, 19, 26, 2003.