

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from
Leonard A. Lewis, Grantor

TO

Fred A. Wallace and Patricia A. Wallace, Beneficiary

State of Oregon, County of Klamath
Recorded 08/28/2003 9:23 A.M.
Vol M03 Pg 63353-633516
Linda Smith, County Clerk
Fee \$ 316.00 # of Pgs 4

After recording return to:
Scott D. MacArthur, 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:

Leonard A. Lewis, 1726 Menlo Way, Klamath Falls, OR 97601

Susan D. Wood, 912 Susan Lee Lane, Modesto, CA 95351

Billy A. Wood, 715 E. Sunrise Road, Roswell, NM 88201

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.

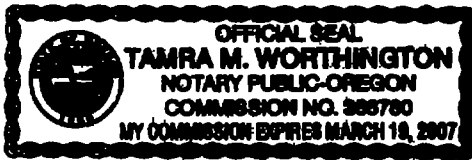
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Scott D. MacArthur, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on May 9, 2003. 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, Successor Trustee

Subscribed and sworn to before me this 25th day of August, 2003.




Notary Public for Oregon
My commission expires March 19, 07

RETURN OF SERVICE

STATE OF OREGON)
) ss.
County of Klamath)

Court Case No. _____

Case No. _____

I hereby certify that I received on _____ the within:

- () Summons & Complaint () Summons & Petition () Summons () Notice
() Order of Appearance () Waiver of Fees () Petition () Motion
() Show Cause Order () Affidavit () Complaint () Order
() Writ of Garnishment () Restraining Order () Citation () Subpoena
() Small Claim

x) Notice of Sale

for service on the within named: Leonard A. Lewis

x) SERVED Leonard A. Lewis at 1726 Marlo Way personally and in person.

() SUBSTITUTE SERVICE - By leaving a true copy with _____

a person over the age of fourteen years, who resides at the place of abode of the within named, at said abode: _____

() OFFICE SERVICE - By leaving a true copy with _____

the person in charge of the office maintained for the conduct of business by _____

() By leaving a true copy with _____ of said corporation.

() OTHER METHOD _____

() NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find the within named: _____

_____ within Klamath County.

All search and service was made within Klamath County, State of Oregon.

DATE AND TIME OF SERVICE, OR NOT FOUND: 4-21-03 . 6:45 PM

SERVICE FEES FOR THIS SERVICE ARE: \$ 25.00 plus _____ miles
at \$.30/mile for a total amount due of \$ 25.00.

ARRITOLA INVESTIGATIONS

By _____

Cale Arritola

Affidavit of Publication

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 # 5954

Notice of Sale, Lewis

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:

June 30, July 7, 14, 21, 2003

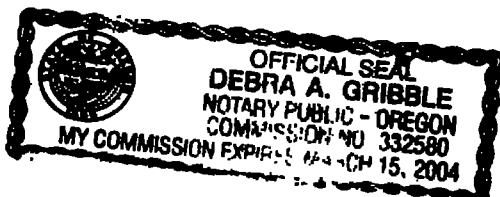
Total Cost: \$621.00

Subscribed and sworn

before me on: July 21, 2003

Notary Public of Oregon

My commission expires March 15, 2004



NOTICE OF DEFAULT AND ELECTION TO SELL

KNOW ALL MEN BY THESE PRESENTS, that LEONARD A. LEWIS, is the grantor, and ASPEN TITLE & ESCROW, INC., is the trustee, and FRED A. WALLACE and PATRICIA A. WALLACE is the beneficiary under that certain trust deed dated November 8, 2001, and recorded on November 22, 2001, in book/reel/volume No. M01 at page 60325 of the Mortgage Records of Klamath County, Oregon.

Lots 15, 16, 17, 18, 19, 20, 21 and 22, Block 12 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.

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:

Payments in the amount of \$663.72 per month from February, 2002, May, 2002 and August, 2002 through the present.

Taxes for the fiscal year 2002-2003, delinquent in the sum of \$1,062.72, plus interest.

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: \$69,944.22 as of May 19, 2002 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 25, 2003 at the hour of 10 a.m. Standard Time, as established by Section 167.110, 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 and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.733 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

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: June 30, 2003.
Scott D. MacArthur
Successor Trustee
#5954 June 30, July 7, 14, 21, 2003.