

04 FEB 6 PM 1:08

Vol M04 Page 07356

**CERTIFICATE OF POSTING OF
NOTICE OF SALE IN LIEU OF SERVICE**

RE: Trust Deed

FROM: Todd M. Wallin and Debra D.
Wallin, Husband and Wife,
Grantor

TO: Paulette Burnham,
Beneficiary

AFTER RECORDING RETURN TO:

MacArthur & Bennett, P.C.
280 Main Street
Klamath Falls, OR 97601

State of Oregon, County of Klamath
Recorded 02/06/2004 1:08 p m
Vol M04 Pg 07356
Linda Smith, County Clerk
Fee \$ 4.00 # of Pgs 5

CERTIFICATE OF POSTING NOTICE OF SALE IN LIEU OF SERVICE

STATE OF OREGON, County of Klamath) ss.

I, Cale Arritola, 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 posted the Notice of Sale of the real property in the Notice of Sale posting said notice on the premises of:

NAME:

Todd M. Wallin
Debra D. Wallin

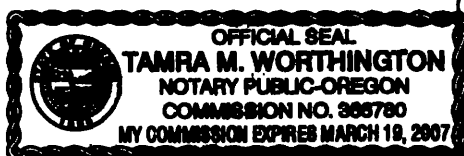
ADDRESS:

1150 East Street, Klamath Falls, OR
1150 East Street, Klamath Falls, OR

Each of the notices so posted was certified to be a true copy of the original notice of sale by Jacqueline Bennett, attorney for the trustee named in said notice; and was posted by me on October 6, 2003. Each of said notices was 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 5th day of February, 2004.



Tamra M. Worthington
Notary Public for Oregon

My Commission Expires: March 19, 07

41V

**AFFIDAVIT OF MAILING OF TRUSTEE'S
NOTICE OF DEFAULT AND ELECTION TO SELL**

RE: Trust Deed

FROM: Todd M. Wallin and Debra D.
Wallin, Husband and Wife,
Grantor

TO: Paulette Burnham,
Beneficiary

AFTER RECORDING RETURN TO:

MacArthur & Bennett, P.C.
280 Main Street
Klamath Falls, OR 97601

AFFIDAVIT OF MAILING OF TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL

STATE OF OREGON, County of Klamath) ss

I, Jacqueline Bennett, 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:

Todd M. Wallin
1150 East Street
Klamath Falls, OR 97601

Debra D. Wallin
1150 East Street
Klamath Falls, OR 97601

City of Klamath Falls
500 Klamath Ave.
Klamath Falls, OR 97601

Dennis Wood
1728 Chinchalla
Klamath Falls, OR 97603

Gayle Payne Nicholson, Trustee for
Susan G. Sweet Revocable Trust
403 Main St.
Klamath Falls, OR 97601

Patricia Nelson
P.O. Box 307
Tenino, WA 98589

Deborah Thomas
11039 Vail Rd. SE
Yelm, WA 98597

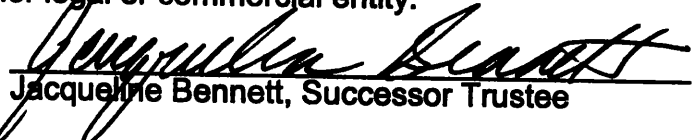
Paulette Burnham
6727 Eberlein
Klamath Falls, OR 97603

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.

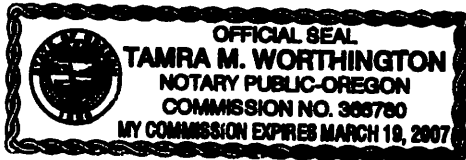
07358


Each of the notices so mailed was certified to be a true copy of the original notice of sale by Jacqueline Bennett, 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 October 6, 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.


Jacqueline Bennett, Successor Trustee

Subscribed and sworn to before me this 5th day of February, 2004.




Notary Public for Oregon
My commission expires March 19, 07

Affidavit of Publication

07359

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 # 6270

Notice of Sale/Wallin

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

Four

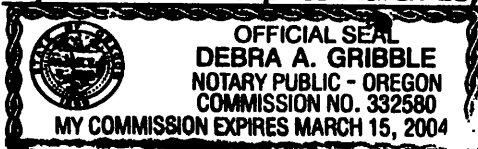
Insertion(s) in the following issues:
December 2, 9, 16, 23, 2003

Total Cost: \$742.50

Larry L. Wells
Subscribed and sworn
before me on: December 23, 2003

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004



NOTICE OF DEFAULT AND ELECTION TO SELL

KNOW ALL MEN BY THESE PRESENTS, that TODD M. WALLIN and DEBRA D. WALLIN, are the grantor and ASPEN TITLE AND ESCROW, INC. is trustee, and PAULETTE BURNHAM, is the beneficiary under that certain trust deed dated March 20, 2002 and recorded on April 4, 2002 in book/reel/ volume M02 at page 19860 of the Mortgage Records of Klamath County, Oregon.

EXHIBIT "A"

A piece or parcel of Block 58 of NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON including portions of Lots 8 and 9 of said Block 58, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point in the Easterly boundary of the said Lot 9 of Block 58, 19.11 feet Southerly from the Northeast-erly corner of the said Lot 9, and run-ning thence Wester-ly at right angles to East Street, 83.06 feet; thence South- westerly at right an- gles to Twelfth Street, 64.06 feet, more or less, to a point in the South- westerly boundary of the said Lot 8 of Block 58; thence Southeast-ly along the said Southwest- erly boundary of Lot 8, 38.69 feet, more or less, to the most Southerly corner of said Lot 8; thence Northeast-ly along the Southeast-ly boundary of said Lot 8, 25.09 feet; thence

Easterly at right an- gles to East Street, 76.31 feet, more or less, to a point in the said Easterly bound- ary of Lot 9, said point being 90.74 feet Northerly from the most Southerly cor- ner of said Lot 9; thence Northerly 54.50 feet, more or less, to the said point of beginning.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obliga- tions 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 foreclo- sure is made is grantor's failure to pay when due the following sums:

Payments in the amount of \$374.22 in September 2002, De- cember 2002, and April 2003 through the present, plus in- terest.

By reason of said default, the benefi- ciary has declared all sums owing on the obligation se- cured by said trust deed immediately due and payable, said sums being the following, to-wit: \$50,737.75 as of March 2, 2003 plus interest.

WHEREFORE, no- tice hereby is given that the undersigned trustee will on Feb- ruary 9, 2004 at the hour of 10:00 AM standard time, as established by Sec- tion 187.110, Oregon Revised Statutes, at 280 Main Street, in the City of Klamath Falls, County of Klamath, State of Ore- gon, sell at public auction to the high- est bidder for cash

the interest in said described real prop- erty which the gran- tors had or had pow- er to convey at the time of the execu- tion by him of said trust deed, to satisfy the foregoing obliga- tions thereby se- cured 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. No- tice is further given that any person named in Section 86.753 of Oregon Re- vised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceed- ing dismissed and the trust deed rein- stated 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 com- plained of herein that is capable of being cured by ten- dering the perform- ance required under the obligation or trust deed, and in addition to paying said sums or tender- ing the performance necessary to cure the default, by pay- ing all costs and ex- penses actually in- curred 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 Re- vised Statutes.

In construing this notice, the mascu- line 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 words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: November 25, 2003. Jacqueline Bennett, Successor Trustee. (541) 851-0571.
#6270 December 2, 9, 16, 23, 2003.