

04 APR 28 PM 3:10

WTC-63616

**AFFIDAVIT OF MAILING
TRUSTEE'S NOTICE OF SALE**

RE: Trust Deed from

Hal Runnels

Clarice L. Runnels

Daniel B. Aberin

Grantor

To.

Laura J. Walker

Trustee.

After recording return to:

Laura J. Walker

Cable Huston Benedict et al

1001 SW Fifth Avenue #2000

Portland Oregon, 97204

Vol M04 Page 25645

State of Oregon, County of Klamath

Recorded 04/28/2004 3:10 PM

Vol M04 Pg 25645-1051

Linda Smith, County Clerk

Fee \$ 51.00 # of Pgs 7

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of Multnomah) ss:

I, Laura J. Walker, being first duly sworn, depose, and say 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 the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale.

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies 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:

Daniel A. Aberin

1910 N. 15th

Springfield, OR 97477

Occupant

2892 Springwood Drive

Chiloquin, Or 97624

Clarice Runnels

PO Box 7871

Klamath Falls, OR 97602

Hal Runnels

PO Box 7871

Klamath Falls, OR 97602

US Bancorp

1010 S. 7th

Minneapolis, MN 55415

Attn. Diane Dolan ED-MIN-TT4F

US Bank National Association ND

4325 17th Ave. SW

Fargo, ND 58103

These 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 set forth in ORS 86.785.*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by William J. Lehman, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office in Portland, Oregon, on January 9, 2004. 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, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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

Subscribed and sworn to before me on 26th of April, 2004



Laura J. Walker
Laura J. Walker, Trustee

Michele Bradley
Notary Public for Oregon
My commission expires 03-30-09

5/10 PM

25646

CABLE HUSTON BENEDICT
HAGENSEN & LLOYD LLP
ATTORNEYS AT LAW
SUITE 2000
1001 SW FIFTH AVENUE
PORTLAND, OREGON 97204-1136

CERTIFIED MAIL



7002 3150 0005 9691 7173

Hal Runnels
PO Box 7871
Klamath Falls, OR 97602

JAN 26
1996

NL 1-12-04 38

25647

HAGENSEN & LLOYD LLP

ATTORNEYS AT LAW

SUITE 2000

1001 SW FIFTH AVENUE

PORTLAND, OREGON 97204-1136

CABLE HUSTON BENEDICT
HAGENSEN & LLOYD LLP

ATTORNEYS AT LAW

SUITE 2000

1001 SW FIFTH AVENUE

PORTLAND, OREGON 97204-1136



7002 3150 0005 9691 7203

Occupant
2892 Springwood Drive
Chiloquin, OR 97624

UNCLAIMED

CERTIFIED MAIL



7002 3150 0005 9691 7210

Clance Runnels
PO Box 7871
Klamath Falls, OR 97602

DL 1-12 04 38

25648

CABLE HUSTON BENEDICT
HAAGENSEN & LLOYD LLP

ATTORNEYS AT LAW
SUITE 2000
1001 SW FIFTH AVENUE
PORTLAND, OREGON 97204-1136



NOT DELIVERABLE
AS ADDRESSED,
UNDELIVERABLE FORWARD

NO

7

Daniel A. Aberlin
1910 N. 15th
Springfield, OR 97477

*Attention
Will know*

97477+2 57477 1136



MI

CERTIFIED MAIL

CABLE HUSTON BENEDICT
HAAGENSEN & LLOYD LLP

ATTORNEYS AT LAW
SUITE 2000

1001 SW FIFTH AVENUE
PORTLAND, OREGON 97204-1136

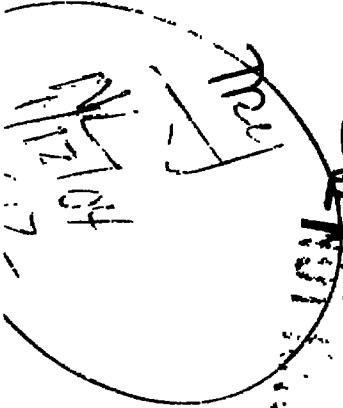


3150 0005 9691 7



Daniel A. Aberlin
1910 N. 15th
Springfield, OR 97477

NOT DELIVERABLE
UNDELIVERABLE FORWARD



- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

US Bank National Assoc. ND
4325 17th Ave. SW
Fargo, ND
58103

A. Signature

ICB-Fargo

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

25649

3. Service Type

☐ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7002 3150 0005 9691 7227

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

US Bancorp
1010 S. 4th
Minneapolis, MN
55415
attn: Diane Dolan
ED-MIN-TT4F

A. Signature

X

☒ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7002 3150 0005 9691 7180

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Hal Runnels and Clarice L. Runnels and Daniel B. Abern as grantor, to Nancy L. Peterson as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated September 22, 1998, recorded on September 28, 1998 a in the records of Klamath County, Oregon Microfilm Records M98, page 35183 covering the following described real property situated in the above-mentioned county and state, to wit:

Lot 66 in Block 28, Tract No. 1113- OREGON SHORES UNIT 2, 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 obligation 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:

Four monthly payments of \$644.56 each due for the months of September 2003 through December 2003 with interest accruing thereon at the contract rate of 7.99% per annum or \$18.54 per diem until paid in full, plus costs and attorneys fees.

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:

Principal	\$ 84,698.06
Interest as of December 17, 2003:	\$ 1,983.78
Foreclosure Guarantee	\$ 405.00
Beneficiary is also entitled to costs and attorney fees.	

WHEREFORE, notice hereby is given that the undersigned trustee will on May 14, 2004, at the hour of 1:15 o'clock, p.m., in accord with the standard of time established by ORS 187.110, at the Klamath County Courthouse, 316 Main Street, 2nd floor, Klamath Falls, County of Klamath, State of 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 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED January 5, 2004

Laura J. Walker
Laura J. Walker, Trustee

State of Oregon, County of Multnomah ss:

I, the undersigned attorney of record for the Plaintiff, certify that the foregoing is an exact and complete copy of the original trustee's notice of sale

Will H. [Signature]
Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served

**STATE OF OREGON,
COUNTY OF KLAMATH**

I, Jeanine P. Day, 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 I know from my personal knowledge that the

Legal # 6490

Notice of Sale/Runnels

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

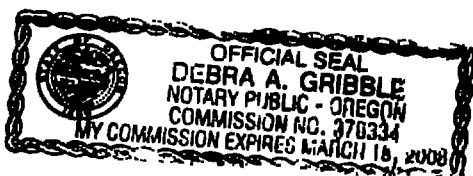
Insertion(s) in the following issues:
March 21, 28, April 4, 11, 2004

Total Cost: \$661.50

Subscribed and sworn
before me on: April 11, 2004

Notary Public of Oregon

My commission expires March 15, 2008



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(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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: January 5th, 2004. Laura J. Walker, Trustee.

State of Oregon,
County of Multnomah as:

I, the undersigned attorney of record for the Plaintiff, certify that the foregoing is an exact and complete copy of the original trustee's notice of sale.

William Lehman,
Attorney for said Trustee.
#6490 March 21, 28, April 4, 11, 2004.