

05 MAR 1 PM 12:16

Vol M05 Page 13532

RE: Trust Deed from:

Sherman Geroge Sunitsch
Karrie Jane Sunitsch
PO Box 964
Phoenix, OR 97535,

Grantor

State of Oregon, County of Klamath
Recorded 03/01/2005 12:16 p m
Vol M05 Pg 13532-36
Linda Smith, County Clerk
Fee \$ 41.00 # of Pgs 5

To

Richard A. Mario, OSB#79079,
Successor Trustee

After recording return to:

Richard A. Mario
Three Centerpointe Drive, Suite 250
Lake Oswego, Oregon 97025

1st 455307

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON)
) ss.
County of Clackamas)

I, Richard A. Mario, 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 Trustee's Notice of Sale given under the terms of that certain deed described in the Notice of Default and Election to Sell and recorded on October 22, 2004 in the records of Klamath County, Oregon in Volume M04 at page 72228.

I gave notice of the sale of the real property described in the attached Trustee's Notice of Sale by mailing copies thereof by first class mail and by certified mail to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

1. State of Oregon, Dept. of Justice
 Child Support Program
 PO Box 14506
 Salem, OR 97309
 Certified Mail No.: 7004-1160-0007-3543-2186
2. Kelley J. Fritz
 Klamath City District Attorney
 3300 Vandenberg Rd.
 Klamath Falls, OR 97603
 Certified Mail No.: 7003-1680-0000-4229-3494
3. Vernon and Ofelia Ludwig
 945 Bowman Drive
 Reno, Nevada 89503
 Certified Mail No.: 7003-1680-0000-4229-3500

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4. Vernon and Ofelia Ludwig
4749 Hillcrest Rd.
Medford, OR 97504
Certified Mail No.: 7003-1680-0000-4229-3517
5. Kevin Sunitsch
2675 Windmill Pkwy.
Henderson, Nevada 89074
Certified Mail No.: 7004-1160-0004-1464-0789
6. Carrie Sunitsch
PO Box 964
Phoenix, OR 97535
Certified Mail No.: 7004-1160-0007-3543-2193

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 86.740, 86.750 and 86.785.

Each of the notices so mailed was certified to be a true copy of the original Trustee's Notice of Sale. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited in the United States post office at Lake Oswego, Oregon, as follows:

On October 25, 2004

1. State of Oregon, Dept. of Justice
Child Support Program
PO Box 14506
Salem, OR 97309
Certified Mail No.: 7004-1160-0007-3543-2186
2. Kelley J. Fritz
Klamath City District Attorney
3300 Vandenberg Rd.
Klamath Falls, OR 97603
Certified Mail No.: 7003-1680-0000-4229-3494
3. Vernon and Ofelia Ludwig
945 Bowman Drive
Reno, Nevada 89503
Certified Mail No.: 7003-1680-0000-4229-3500
4. Vernon and Ofelia Ludwig
4749 Hillcrest Rd.
Medford, OR 97504
Certified Mail No.: 7003-1680-0000-4229-3517

13534

On October 28, 2004

5. Kevin Sunitsch
2675 Windmill Pkwy.
Henderson, Nevada 89074
Certified Mail No.: 7004-1160-0004-1464-0789
6. Carrie Sunitsch
PO Box 964
Phoenix, OR 97535
Certified Mail No.: 7004-1160-0007-3543-2193

With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated. Each such notice was mailed after the Notice of Default and Election to Sell was recorded.

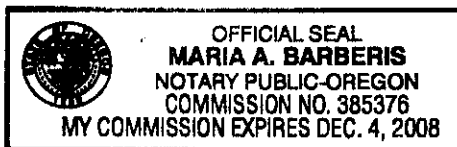
As used herein, the singular includes the plural, "trustee" includes a successor trustee, and "person" includes a corporation and any other legal or commercial entity.

Dated this 28 day of February, 2005.

R.A. Mario
Richard A. Mario, Successor Trustee

STATE OF OREGON)
)
County of Clackamas)

SUBSCRIBED AND SWORN TO before me this 28 day of February, 2005, by Richard A. Mario.



Notary Public for Oregon
My Commission Expires:

Maria A. Barberis

TRUSTEE'S NOTICE OF SALE

13535

Reference is made to that certain trust deed made by Sherman G. Sunitsch and Karrie J. Sunitsch, to Klamath County Title Company, as trustee, and Ann Gabrielson, as Beneficiary, the trust deed dated June 9, 1997, recorded on June 10, 1997, in the Microfilm Records of Klamath County, Oregon, on instrument number M97, page 17638, and covering the following described real property situated in the above mentioned county and state, to wit:

A tract of land situated in Lot 16, Section 6, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:
Beginning at an iron pin located on the East bank of Agency Lake, said point also being West a distance of 972.0 feet and North 0 degrees 14' East a distance of 80.0 feet from the Southeast corner of Lot 16; thence East 315.0 feet; thence South 0 degrees 14' West, 80.0 feet; thence West 288.0 feet along the South line of said Lot 16 to the East bank of Agency Lake; thence Northerly to the point of beginning.
EXCEPTING THEREFROM that portion lying within the boundaries of Modoc Point Highway - State 427.
CODE 118 MAP 3507-6CA TL 3800.

Commonly known as 37310 Modoc Point Road, Chiloquin, Oregon 97624.

Both the beneficiary and trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclose is made in grantor's failure to pay when due the following sums: \$59,140.00 as of June 9, 2002.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

Principal:	\$59,140.00
Title Search Fees:	\$335.00
Recording Fees:	\$35.00
Attorney Fees:	\$1000.00

WHEREFORE, notice is hereby given that the undersigned trustee will at the hour of 10:00 o'clock, A.M, in accord with the standard of time established by ORS 187.110 on March 14, 2005, at the following place: front steps of the Klamath County Circuit Court in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

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 the 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 attorney fees not exceeding the amounts provided by ORS 86.753.

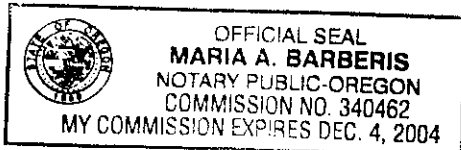
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED 10-25-04

R.A. Mario
Successor Trustee

STATE OF OREGON)
) ss.
County of Clackamas)

SUBSCRIBED AND SWORN TO before me this 25 day of October, 2004.



Maria A. Barberis
Notary Public for Oregon

My Commission Expires: 12-4-04

**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 # 7179

Notice of Sale/Sherman & Karrie Sunitsch

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:
January 13, 20, 27, February 3, 2005

Total Cost: \$735.00

Subscribed and sworn
before me on: February 3, 2005

Notary Public of Oregon

My commission expires March 15, 2008

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DATED: October 25, 2004

/s/ Richard A. Mario
Successor Trustee

STATE OF
OREGON
County of
Clackamas) ss

SUBSCRIBED AND
SWORN TO before
me this 25th day of
October, 2004

Maria A. Barberis,
Notary Public
for Oregon
My Commission Expires: December 4, 2004.

#7179 January 13, 20, 27, February 3, 2004.

