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Richard Swanson, Grantor

to

First American Title Co., Trustee

After recording return to: Mark Runnels

419 Main St.  
Klamath Falls, OR 97601

Vol M05 Page 13780

State of Oregon, County of Klamath  
Recorded 03/01/2005 3:40 P m  
Vol M05 Pg 13780-81  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

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

STATE OF OREGON, County of Klamath) ss.

I, Mark Runnels, 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 his successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.

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

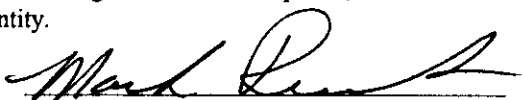
NAME: Richard Swanson  
ADDRESS: 216 Lower Wolf Creek  
Wolf Creek, OR 97497

Robert and Sara Harris  
PO Box 123  
Chiloquin, OR 97624

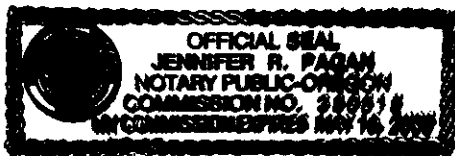
Said Trustee's Notice of Sale was given in compliance with ORS 86.7540, more than 120 days prior to the date scheduled for the Sale, and the above named persons include all of those persons listed in ORS 86.740 and ORS 86.750(1).

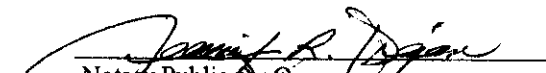
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Mark Runnels, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on January 29, 2004, which was more than 120 days prior to the date scheduled for the 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 28 day of February, 2005.



  
Notary Public for Oregon  
My Commission Expires: 5-16-08

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TRUSTEE'S NOTICE OF SALE

13781

Reference is made to that certain trust deed made by Richard Swanson, as grantor, to Josephine-Crater Title Companies, Inc., as trustee, in favor of Frank D. Bowlby, Jr. and Dona L. Bowlby, Trustees of the Bowlby Living Trust dated March 14, 1995, as beneficiary, dated November 16, 1998, recorded November 25, 1998, in the mortgage records of Klamath County, Oregon, in Volume No. M98 at page 43248, or as No. covering the following described real property situated in said county and state, to-wit:

Beginning at the Northeast Corner of the Townsite of Clinton, Oregon, running thence South 297 feet; thence East to Lost River' thence Northwesterly following said Lost River to the point of beginning, being a portion of Lot 1, Section 12, Township 41 South, Range 10 East of the Willamette Meridian in 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 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: Real Property taxes for 2001/2002 of \$527.95 and 2003/2003 for \$542.71, Balloon payment of \$64,000.00 on 11/23/01.

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: \$64,000.00 plus interest at the rate of 12% from 11/23/01.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 21, 2004, at the hour of 9:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at 419 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 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.

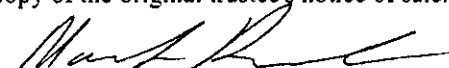
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective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

DATED: January 28<sup>th</sup>, 2004.

  
Mark Runnels, Trustee

State of Oregon, County of Klamath) ss.

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

  
Mark Runnels, Attorney for said Trustee