

2009-002393

Klamath County, Oregon



00060951200900023930170179

02/17/2009 03:57:33 PM

Fee: \$116.00

**RECORDING COVER SHEET
FOR NOTICE OF SALE
PROOF OF COMPLIANCE,**

PER ORS 205.234 THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

AFTER RECORDING RETURN TO:

Irving Potter
Josselson & Potter
425 NW 10th Avenue, Suite 306
Portland, OR 97209

- ☒ AFFIDAVIT OF MAILING NOTICE OF SALE
- ☒ AFFIDAVIT RETURN OF SERVICE
- ☒ AFFIDAVIT OF PUBLICATION
- ☒ CERTIFICATE OF NONMILITARY SERVICE

Original Grantor on Trust Deed: Washburn II, LLC

Beneficiary: Aspen Stone LLC

Trustee: Irving Potter

Trust Deed: 2007-013977

Property Description: An undivided One Half interest in the following described real property:

Parcel 1 of Land Partition 18-06, said Land Partition being a replat of Parcel 3 of Land Partition 34-04, said Land Partition being situated in the NW 1/4 NW 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

After recording, return to:
Irving Potter
Josselson & Potter
425 NW 10th Avenue, Suite 306
Portland, OR 97209

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF OREGON)
) ss.
County of Multnomah)

I, Kathie Garcia, being first duly sworn, depose and say:

1. On November 10, 2008, I caused the Trustee's Notice of Sale, attached hereto as Exhibit 1, to be deposited in the U.S. mail by first-class mail and by certified mail, return receipt requested, in sealed envelopes addressed to the parties entitled to notice under ORS 86.745 at the address listed below.

Washburn II, LLC
2861 Pinecrest Court
Medford, OR 97504

The certified mail return receipt is attached hereto as Exhibit 2.

Washburn II, LLC
c/o Randall D. Simonson
2861 Pinecrest Court
Medford, OR 97504

The certified mail return receipt is attached hereto as Exhibit 3.

2. On February 10, 2009, I caused the Trustee's Notice of Sale, attached hereto as Exhibit 1, to be deposited in the U.S. mail by first-class mail and by certified mail, return receipt requested, in sealed envelopes addressed to the parties entitled to notice under ORS 86.745 at the address listed below.

Andrew C. Brandsness, Esq.
Brandsness, Brandsness & Rudd, PC
411 Pine Street
Klamath Falls, Oregon 97601

The certified mail return receipt is attached hereto as Exhibit 4.

DATED: February 13, 2009


Kathie Garcia

SIGNED AND SWORN before me this 13th day of February, 2009, by KATHIE GARCIA.



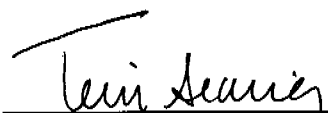

Notary Public for Oregon

Exhibit 1

TRUSTEE'S NOTICE OF SALE

Washburn II LLC, an Oregon limited liability company, is the Grantor, Irving Potter is the Trustee, and Aspen Stone LLC, an Oregon limited liability company, is the Beneficiary of the trust deed dated July 25, 2007, recorded on August 8, 2007 at Recorder's Fee No. 2007-013977, of the mortgage records of Klamath County, Oregon. The trust deed covers the real property described as follows:

An undivided One Half interest in the following described real property:

Parcel 1 of Land Partition 18-06, said Land Partition being a replat of Parcel 3 of Land Partition 34-04, said Land Partition being situated in the NW 1/4 NW 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Appointment of Trustee, in which the Beneficiary named as Trustee, Irving Potter, was recorded on August 8, 2007, in the Official Records of Klamath County, Oregon.

There is a default by the Grantor of the obligations secured by the trust deed, authorizing the sale of the collateral to satisfy the obligations of the trust deed and the secured note. The default is failure to make payments when due on the Promissory Note which is secured by the trust deed.

The beneficiary or the beneficiary's successor in interest has declared all obligations secured by said trust deed immediately due and payable, said sums being the following: \$2,185,802.63, plus accrued interest plus impounds and/or advances which became due on February 1, 2008 plus late charges, and all subsequent installments of principal, interest, balloon payments, plus impounds and/or advances and late charges that become payable until paid; late fees; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary or the beneficiary's successor in interest for protection of the above-described real property and its interest in it.

Notice is given that the Beneficiary and Trustee have elected to foreclose the trust deed by advertisement and sale of the Grantor's interest, at public auction to the highest bidder for cash or cash equivalent, under ORS 86.705-86.795, to satisfy the secured debt, together with expenses of sale and compensation of the trustee and reasonable attorney fees, as provided by law.

The sale will be held on Wednesday, March 11, 2009, at 2:30 p.m. in accordance with the standard of time established by ORS 187.110, in the interior foyer of the main entrance of the Klamath County Courthouse, located at 316 Main Street, Klamath Falls, Oregon 97601, Klamath County, Oregon.

Neither the Beneficiary nor the Trustee has any actual notice of a person claiming or having a junior interest to the interest of the Trustee, or of the Grantor or successor, or of any lessee or other person in possession other than the following as shown of record.

Financing Statement, subject to the terms and provisions thereof;

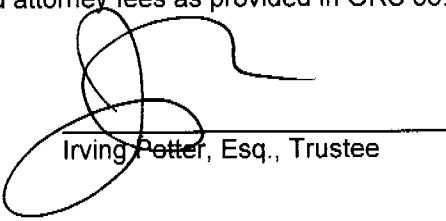
Recorded:	December 24, 2007
Volume:	2007-021345, Microfilm Records of Klamath County, Oregon
Debtor:	Pentech Financial Services, Inc.

A notice of Amendment of said Financing Statement, was;

Recorded:	January 18, 2008
Volume:	2008-00821 Microfilm Records of Klamath County, Oregon

Any person named in ORS 86.753 has the right up to five (5) days before the date last set for sale, to reinstate the trust deed and have this foreclosure proceeding dismissed by payment to the Beneficiary of the entire amount then due (other than accelerated principal) and curing any other default complained of here that is capable of being cured, and paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney fees as provided in ORS 86.753.

DATED: November 7, 2008



Irving Potter, Esq., Trustee

For further information contact:
Irving Potter
Josselson & Potter
425 NW 10th Avenue, Suite 306
Portland, OR 97209
(503) 228-1455 phone

Exhibit 2

7008 0500 0002 0042 4572

U.S. Postal Service TM	
CERTIFIED MAIL TM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ 1.42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.32

PORTLAND NOV 10 2008
Postage Here
AS 11/10/08

Sent To	Washburn II, LLC
Street, Apt. No., or PO Box No.	2861 Pinecrest Court
City, State, ZIP+4	Medford, OR 97504

PS Form 3800, August 2005 See Reverse for Instructions

Exhibit 3

7008 0500 0002 0042 4565

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$.42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.32

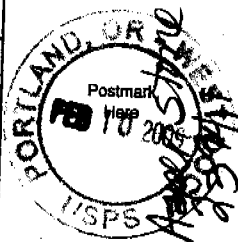
NOV 10 2008
Postmark
1234567890
1234567890

Sent To	Washburn II, LLC
Street, Apt. No., or PO Box No.	Randall D. Simonson
City, State, ZIP+4	2861 Pinecrest Court Medford, OR 97504

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0003 7823 7881

U.S. Postal Service <small>TM</small>	
CERTIFIED MAIL <small>TM</small> RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$4.20
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$9.10



Sent To: Andrew C. Brandsness Esq.	
Street, Apt. No. or P.O. Box: Brandsness Brandsness Rd	
City, State, ZIP+4: All Pine Street Hamath Falls OR	

PS Form 3800, August 2006 See Reverse for Instructions

Affidavit Return of Service

State of Oregon)

County of Klamath)

Court Case Number: _____

I HEREBY CERTIFY THAT on 11/10/08 the within:

- ☐ Summons & Complaint
- ☐ Complaint
- ☐ Motion
- ☐ Order to Show Cause
- ☐ Citation
- ☐ _____

- ☐ Summons & Petition
- ☐ Petition
- ☐ Affidavit
- ☐ Restraining Order
- ☐ Small Claim

- ☐ Summons
- ☐ Answer
- ☐ Order
- ☐ Subpoena
- ☒ Notice

for service on the within named: OCCUPANTS 3255 WASHBURN WY R. FALLS OR 97603

☒ **SERVED:** KURT MARTIN DUTCH BROS. COFFEE personally and in person
at 3255 WASHBURN WY R. FALLS OR 97603

☐ **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 _____

☐ **CORPORATE:** 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.

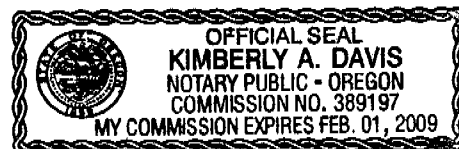
DATE AND TIME OF SERVICE OR NOT FOUND: 11/10/08 AT 5:20 PM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

By: DAVE DAVIS

Basin Preserve
422 N. 6th Street
Klamath Falls, OR 97601
(541) 884-6060

Subscribed to and sworn to before me this
10th Day of Nov, 2008
Kimberly A Davis
Notary Public



Affidavit Return of Service

State of Oregon)

County of Klamath)

Court Case Number: _____

I HEREBY CERTIFY THAT on 11/10/08 the within:

- | | | |
|--|---|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Order |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Citation | <input type="checkbox"/> Small Claim | <input checked="" type="checkbox"/> Notice |
| <input type="checkbox"/> | | |

for service on the within named: OCCUPANTS 3255 WASHBURN WAY K. FALLS OR 97603

☒ **SERVED:** ROBERTO HERNANDEZ EL MARIACHI RESTAURANT personally and in person
at 3255 WASHBURN WAY K. FALLS OR 97603

☐ **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 _____

☐ **CORPORATE:** 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.

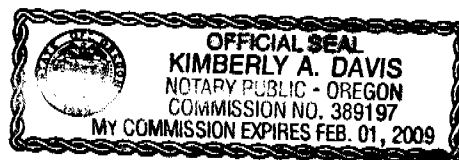
DATE AND TIME OF SERVICE OR NOT FOUND: 11/10/08 AT 5:30 PM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

By: DAVE DAVIS

Basin Proserve
422 N. 6th Street
Klamath Falls, OR 97601
(541) 884-6060

Subscribed to and sworn to before me this
10th Day of Nov, 2008
Kimberly A. Davis
Notary Public



Affidavit Return of Service

State of Oregon)

County of Klamath)

Court Case Number: _____

I HEREBY CERTIFY THAT on 11/10/08 the within:

- | | | |
|--|---|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Order |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Citation | <input type="checkbox"/> Small Claim | <input checked="" type="checkbox"/> Notice |

☒ TRUSTEE'S NOTICE OF SALE

for service on the within named: DEUDANT 3255 WASHBURN K FALLS OR 97603
WASHBURN LLC

☐ **SERVED:** _____ personally and in person
at _____

☐ **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 _____

☐ **CORPORATE:** By leaving a true copy with _____
of said corporation.

☒ **OTHER METHOD:** POSTED TO FRONT DOOR ALLSTATE CARA MILES / TONI BONNER
3255 WASHBURN W K FALLS OR 97603 AS

☐ **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.

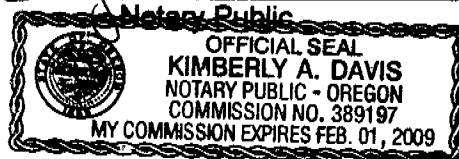
DATE AND TIME OF SERVICE OR NOT FOUND: 11/10/08 AT 2:45PM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of
service or the State of Oregon and that I am not a party to nor an officer, director or employee of, nor attorney
for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one
named in the action.

By: DAVE DAVIS

Basin Proserve
422 N. 6th Street
Klamath Falls, OR 97601
(541) 884-6060

Subscribed to and sworn to before me this
10th Day of Nov, 2008
Kimberly A. Davis



Affidavit Return of Service

State of Oregon)

County of Klamath)

Court Case Number: _____

I HEREBY CERTIFY THAT on 11/10/08 the within:

- | | | |
|--|---|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Order |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Citation | <input type="checkbox"/> Small Claim | <input checked="" type="checkbox"/> Notice |

☒ TRUST'S NOTICE OF SALE

for service on the within named: OCCUPANTS 3255 WASHBURN WAY K. FALLS OR 97603
WASHBURN 1122

☐ **SERVED:** _____ personally and in person
at _____

☐ **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 _____

☐ **CORPORATE:** By leaving a true copy with _____
of said corporation.

☒ **OTHER METHOD:** POSTED TO FRONT DOOR FAMILY CHIROPRACTIC
3255 WASHBURN WAY K. FALLS OR 97603 # 7

☐ **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.

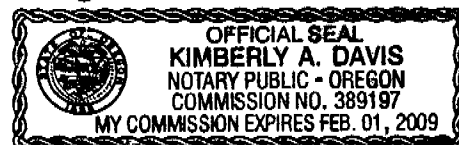
DATE AND TIME OF SERVICE OR NOT FOUND: 11/10/08 AT 2:40PM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of
service or the State of Oregon and that I am not a party to nor an officer, director or employee of, nor attorney
for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one
named in the action.

By: DAVE DAVIS

Basin Preserve
422 N. 6th Street
Klamath Falls, OR 97601
(541) 884-6060

Subscribed to and sworn to before me this
10th Day of Nov, 2008
Kimberly A. Davis
Notary Public



Affidavit Return of Service

State of Oregon)

County of Klamath)

Court Case Number: _____

I HEREBY CERTIFY THAT on 11/10/08 the within:

- | | | |
|--|---|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Order |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Citation | <input type="checkbox"/> Small Claim | <input checked="" type="checkbox"/> Notice |

☒ TRUSTEE NOTICE OF SALE

for service on the within named: DEBUDANTS 3255 WASHBURN WY K. FALLS OR 97603

☒ SERVED: DENNIS BILE JC PENNY STORE personally and in person
at 3255 WASHBURN WY K FALLS OR 97601 # 6A

☐ **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 _____

☐ **CORPORATE:** 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.

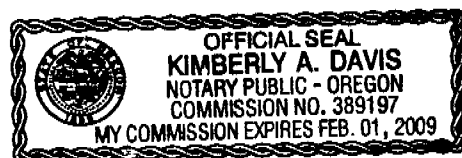
DATE AND TIME OF SERVICE OR NOT FOUND: 11/10/08 AT 2:35PM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

By: DAVE DAVIS

Basin Proserve
422 N. 6th Street
Klamath Falls, OR 97601
(541) 884-6060

Subscribed to and sworn to before me this
10th Day of Nov, 2008
Kimberly A. Davis
Notary Public



Affidavit Return of Service

State of Oregon)

County of Klamath)

Court Case Number: _____

I HEREBY CERTIFY THAT on 11/10/08 the within:

- | | | |
|--|---|-----------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Order |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Citation | <input type="checkbox"/> Small Claim | <input type="checkbox"/> Notice |
| <input type="checkbox"/> _____ | | |

for service on the within named: OCCUPANTS 3255 WASHBURN WAY K. FALLS OR 97603 #6

(X) SERVED: DENNIS BICE DAKMAIL personally and in person
at 3255 WASHBURN WAY #6 K FALLS OR 97603

() 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 _____

() CORPORATE: 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.

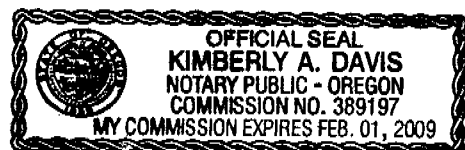
DATE AND TIME OF SERVICE OR NOT FOUND: 11/10/08 AT 2:35PM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of
service or the State of Oregon and that I am not a party to nor an officer, director or employee of, nor attorney
for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one
named in the action.

By: DAVE DAVIS

Basin Proserve
422 N. 6th Street
Klamath Falls, OR 97601
(541) 884-6060

Subscribed to and sworn to before me this
10TH Day of Nov, 2008
Kimberly A. Davis
Notary Public



Affidavit Return of Service

State of Oregon)

County of Klamath)

Court Case Number: _____

I HEREBY CERTIFY THAT on 11/10/08 the within:

- | | | |
|--|---|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Order |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Citation | <input type="checkbox"/> Small Claim | <input checked="" type="checkbox"/> Notice |

☒ TRUSTEE'S NOTICE OF SALE

for service on the within named: OCCUPANTS 3255 WASHBURN WAY K. FALLS OR 97603

☒ SERVED: DON DADE MANGER WIRELESS TOYZ personally and in person
at 3255 WASHBURN WAY K. FALLS OR 97603 #8

☐ **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 _____

☐ **CORPORATE:** 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.

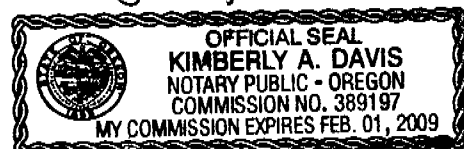
(DATE AND TIME OF SERVICE) OR NOT FOUND: 11/10/08 AT 2:30 PM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

By: Don Davis
DAVE DAVIS

Basin Preserve
422 N. 6th Street
Klamath Falls, OR 97601
(541) 884-6060

Subscribed to and sworn to before me this
10th Day of NOV, 2008
Kimberly A. Davis
Notary Public



Affidavit of Publication

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 # 10718

Notice of Sale/Washburn II LLC

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:

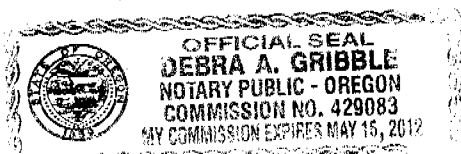
December 9, 16, 23, 30, 2008

Total Cost: \$956.16

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: December 30, 2008

Debra A Gribble
Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE

Washburn II LLC, an Oregon limited liability company, is the Grantor, Irving Potter is the Trustee, and Aspen Stone LLC, an Oregon limited liability company, is the Beneficiary of the trust deed dated July 25, 2007, recorded on August 8, 2007 at Recorder's Fee No. 2007-013977, of the mortgage records of Klamath County, Oregon. The trust deed covers the real property described as follows:

An undivided One Half interest in the following described real property:

Parcel 1 of Land Partition 18-06, said Land Partition being a replat of Parcel 3 of Land Partition 34-04, said Land Partition being situated in the NW 1/4 NW 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Appointment of Trustee, in which the Beneficiary named as Trustee, Irving Potter, was recorded on August 8, 2007, in the Official Records of Klamath County, Oregon.

There is a default by the Grantor of the obligations secured by the trust deed, authorizing the sale of the collateral to satisfy the obligations of the trust deed and the secured note. The default is failure to make payments when due on the Promissory Note which is secured by the trust deed.

The beneficiary or the beneficiary's successor in interest has declared all obligations secured by said trust deed immediately due and payable, said sums being the following: \$2,185,802.63, plus accrued interest plus impounds and/or advances which became due on February 1, 2008 plus late charges, and all subsequent installments of principal, interest, balloon payments, plus impounds and/or advances and late charges that become payable until paid; late fees; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary or the beneficiary's successor in interest for protection of the above-described real property and its interest in it.

Notice is given that the Beneficiary and Trustee have elected to foreclose the trust deed by advertisement and sale of the Grantor's interest, at public auction to the highest bidder for cash or cash equivalent, under ORS 86.705-86.795, to satisfy the secured debt, together with expenses of sale and compensation of the trustee and reasonable attorney fees, as provided by law.

The sale will be held on Wednesday, March 11, 2009, at 2:30 p.m. in accordance with the standard of time established by ORS 187.110, in the interior foyer of the main entrance of the Klamath County Courthouse, located at 316 Main Street, Klamath Falls, Oregon 97601, Klamath County, Oregon.

Neither the Beneficiary nor the Trustee has any actual notice of a person claiming or having a junior interest to the interest of the Trustee, or of the Grantor or successor, or of any lessee or other person in possession other than the following as shown of record.

Financing Statement, subject to the terms and provisions thereof;

Recorded: December 24, 2007

Volume: 2007-021345, Microfilm Records of Klamath County, Oregon

Debtor: Pentech Financial Services, Inc.

A notice of Amendment of said Financing Statement, was;

Recorded: January 18, 2008

Volume: 2008-00821 Microfilm Records of Klamath County, Oregon

Any person named in ORS 86.753 has the right up to five (5) days before the date last set for sale, to reinstate the trust deed and have this foreclosure proceeding dismissed by payment to the Beneficiary of the entire amount then due (other than accelerated principal) and curing any other default complained of here that is capable of being cured, and paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney fees as provided in ORS 86.753.

DATED: November 7, 2008

Irving Potter, Esq., Trustee

For further information contact:

Irving Potter

Josselson & Potter

425 NW 10th Avenue, Suite 306

Portland, OR 97209

(503) 228-1455 phone

#10718 December 9, 16, 23, 30, 2008.

Washburn II, LLC

GRANTOR

Aspen Stone LLC
425 NW 10th Avenue, Suite 307
Portland, OR 97209

BENEFICIARY

Irving Potter
Josselson & Potter
425 NW 10th Avenue, Suite 306
Portland, OR 97209

TRUSTEE


After recording return to:
Irving Potter
Josselson & Potter
425 NW 10th Avenue, Suite 306
Portland, OR 97209

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON)
) ss.
County of Multnomah)

THIS IS TO CERTIFY That I am the beneficiary or successor in interest to the beneficiary in that certain trust deed in which Washburn II, LLC, as Grantor, conveyed to Irving Potter, as Trustee, and Aspen Stone LLC, as Beneficiary, certain real property in Klamath County, Oregon; which said trust deed was dated July 25, 2007 and recorded August 8, 2007 on the Records of Klamath County, Oregon as Fee No. 2007-013977; thereafter the said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed is to be sold at the trustee's sale on March 11, 2009; I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

DATED: February 9, 2009


Kevin Ness, Aspen Stone LLC

This instrument was acknowledged before me this 9th day of February, 2009.



Nathie A. Garcia
Notary Public for Oregon
My commission expires: 11-27-09