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AFFIDAVIT OF MAILING AND SERVICE
OF TRUSTEE'S NOTICE OF SALE AND
CERTIFICATE OF NON-OCCUPANCY

Vol. 1185 Page 5739

STATE OF OREGON)
) ss.
County of Jackson)

I, Daniel C. Thorndike, being first duly sworn, depose and say:

I am the successor trustee in that certain Trust Deed executed and delivered by Donald N. Gail as grantor, to Mountain Title Company as trustee, in which Central Point State Bank is beneficiary, recorded on August 4, 1982, in Book M-82 on page 9983, Records of Klamath County, Oregon, and covering the following described real property situated in said county:

A tract of land situated in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at the most Southerly point of Tract 1085 Country Green, a duly recorded plat, said point being on the Southerly right of way line of Alt Way and 15.00 feet Easterly of the centerline of the Enterprise Irrigation District ditch as constructed, said point South 65°17'56" East 1644.59 feet from the N1/4 corner of said Section 13; thence Easterly along the southerly line of said Tract 1085 Country Green, North 66°35'44" East 77.54 feet, along the arc of a curve to the left (radius=230.00 feet, central angle=21°57'17") 88.13 feet; North 44°38'27" East 276.99 feet, South 45°21'33" East 20.00 feet, along the arc of a curve to the right (radius=280.00 feet, central angle=15°10'46") 74.18 feet, North 80°31'20" East 184.49 feet, North 12.08 feet; thence leaving said Southerly line, North 72°58'03" East 207.58 feet; thence North 89°29'13" East 100.00 feet; thence South 84°14'48" East 46.58 feet to the Westerly line of the Enterprise Irrigation District Canal; thence along said Westerly line South 05°22'23" West 116.17 feet, along the arc of a curve to the left (radius = 125.00 feet, central angle = 49°30'10") 108.00 feet, South 44°07'47" East 165.75 feet, along the arc of a curve to the right (radius = 75.00 feet, central angle = 73°27'34") 96.16 feet, South 29°19'47" West 344.20 feet; thence leaving said Westerly line, South 72°58'03" West 733.37 feet to a point 15.00 feet Easterly of the centerline of the Enterprise Irrigation District ditch as constructed; thence Northerly along a line parallel with and 15.00 feet Easterly of the centerline of said ditch; North 38°13'35" West 134.69 feet, along the arc of a curve to the right (radius = 285.00 feet, central angle = 17°21'40") 86.36 feet, North 20°51'55" West 224.49 feet, along the arc of a curve to

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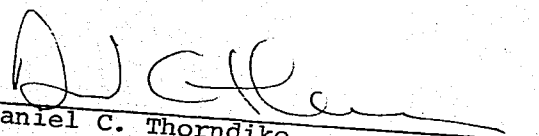
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the right (radius = 335.00 feet, central angle = $37^{\circ}46'05''$)
220.82 feet, North $16^{\circ}54'10''$ East 27.02 feet to the point
of beginning.


I hereby certify that the Trustee's Notice of Sale, a true copy of which is marked Exhibit "A" and is attached hereto, and by this reference is incorporated herein and made a part hereof, was given by certified mail to the grantor in said trust deed, Donald N. Gail, at his last known address, and to J.F. Fliegel, Jr., subsequent to recording of the notice of default as provided in ORS 86.735 and at least 120 days before the day fixed by the undersigned trustee for the trustee's sale.

I further certify that, as of that date set by ORS 86.750 for the service of notice upon occupants of the above described real property, the property was not occupied by any person or persons entitled to personal service of notice under ORS 86.750.

I further certify that, as of the date set by ORS 86.740(1) for the service of notice, said Trustee's Notice of Sale, attached hereto as Exhibit "A", was served upon, or given to, all such persons having a lien or interest appearing of record, or of which the trustee or beneficiary had actual notice of, subsequent to the interest of the trustee in said trust deed, including the following: Donald N. Gail; J.F. Fliegel, Jr., Trustee; United States of America, c/o Chief, Special Procedures Section, District Director of Internal Revenue; Henley Land Company, Inc.; Henley Land Co.; Federal Deposit Insurance Corporation; Attorney General of the United States; United States of America, c/o Charles H. Turner, U.S. Attorney; Aerofin, Inc.; Medford State Bank; Edward O. Richard; Gary T. Whittle; Harold Munson; and First Interstate Bank of Oregon, N.A.


Daniel C. Thorndike,
Successor Trustee

SUBSCRIBED AND SWORN to before me this 15th day of April,
1985.


Notary Public for Oregon
My Commission Expires: 3-28-88

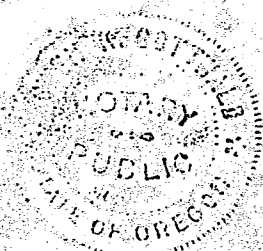


EXHIBIT "A"

TRUSTEE'S NOTICE OF SALE

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NOTICE is hereby given that the obligation secured by the trust deed described below is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: Donald N. Gail
Trustee: Mountain Title Company
Successor Trustee: Daniel C. Thorndike
Beneficiary: Central Point State Bank
2. Property covered by trust deed:

A tract of land situated in the E 1/2 NE 1/4 of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the most Southerly point of Tract 1085, COUNTRY GREEN, a duly recorded plat, said point being on the Southerly right of way line of Alt Way and 15.00 feet Easterly of the centerline of the Enterprise Irrigation District ditch as constructed, said point being South 65°17'56" East, 1644.59 feet from the North 1/4 corner of said Section 13; thence Easterly along the Southerly line of said Tract 1085, COUNTRY GREEN, North 66°35'44" East 77.54 feet, along the arc of a curve to the left (radius = 230.00 feet, central angles = 21°57'17") 88.13 feet; North 44°38'27" East 276.89 feet, South 45°21'33" East 20.00 feet, along the arc of a curve to the right (radius = 280.00 feet, central angle = 15°10'46") 74.18 feet, North 80°31'20" East 184.49 feet, North 12.08 feet; thence leaving said Southerly line, North 72°58'03" East 207.58 feet; thence North 89°29'13" East 100.00 feet; thence South 84°14'48" East 46.58 feet to the Westerly line of the Enterprise Irrigation District Canal; thence along said Westerly line, South 05°22'23" West, 116.17 feet, along the arc of a curve to the left (radius = 125.00 feet, central angle = 49°30'10") 108.00 feet, South 44°07'47" East 165.75 feet along the arc of a curve to the right (radius = 75.00 feet, central angle = 73°27'34") 96.16 feet, South 29°19'47" West, 344.20 feet; thence leaving said Westerly line, South 72°58'03" West 733.37 feet to a point 15.00 feet Easterly of the centerline of the Enterprise Irrigation District ditch as constructed; thence Northerly along a line parallel with and 15.00 feet Easterly of the centerline of said ditch, North 38°13'35" West 134.69 feet, along the arc of a curve to the right (radius = 285.00 feet, central angle = 17°21'40") 86.36 feet, North 20°51'55" West, 224.49 feet, along the arc of a curve to the right (radius=335.00 feet, cental angle=37°46'05") 220.82 feet; North 16°54'10" East 27.02 feet to the point of beginning.

3. Trust deed was recorded on August 4, 1982, in Book M-82 on page 9983, records of Klamath County, Oregon.
4. Default for which foreclosure is made is the failure to pay the following: The sum of \$102,000 (one hundred two thousand dollars and no cents), together with interest thereon from July 29, 1982 until paid at a variable rate equal to 3% (three percent) over and above (in addition to) the highest prime lending rate as established from time to time by commercial banks situated in New York city and published in Wall Street Journal daily under "Money Rates"; together with the sum of \$1,132.26 as late charges; together with the sum of \$6,651.06 as real property taxes paid by the beneficiary, with interest thereon at the above-stated rate from October 19, 1984 until paid; and together with the further sum of \$4,935.36 as additional unpaid real property taxes, with interest thereon at the rate of 1% (one percent) per month from December 15, 1984 until paid.
5. The sum owing on the obligation secured by the trust deed is The full amount set forth in paragraph 4, above.
6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of Default was recorded on December 6, 1984, in Book M-84 on page 20466, records of Klamath County, Oregon.
7. The property will be sold in the manner prescribed by law on May 3, 1985, at 10:30 o'clock a.m., standard time as established by ORS 187.110, at the front steps of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, Oregon.
8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date the successor trustee conducts the sale.

DATED this ____ day of ____, 1984.

Return;

Daniel C. Thorndike, Trustee

BLACKHURST, HORNECKER, HASSEN & BRIAN
ATTORNEYS AT LAW
P. O. BOX 670 - SUITE 1, 129 N. OAKDALE
MEDFORD, OREGON 97501

Page 2 TRUSTEE'S NOTICE OF SALE

STATE OF OREGON: COUNTY OF KLAMATH:ss
I hereby certify that the within instrument was received and filed for
record on the 22nd day of April A.D., 19 85 at 9:12 o'clock A M,
and duly recorded in Vol M85, of Mortgages on page 5739.

EVELYN BIEHN, COUNTY CLERK
by: *Pam Smith*, Deputy

Fee: \$ 17.00