

**AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR,
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE**

STATE OF OREGON)
) ss:
County of Klamath)

I, Andrew C. Brandsness, being first duly sworn, depose,
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 notice of sale by mailing a copy thereof by
registered or certified mail to each of the following named persons
at their respective last known addresses, to-wit:

NAME

Donald E. Bailey
5727 Washburn Way
Klamath Falls, OR 97603

William E. Bailey
5727 Washburn Way
Klamath Falls, OR 97603

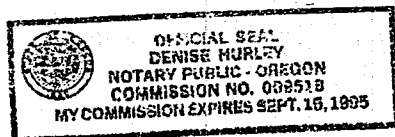
Thomas R. Phillips
212 Gregory Lane #24
Pleasant Hill, CA 94523

Darren Pence
4015 Nevil St.
Oakland, CA 94601

Said persons include the grantor in the trust deed, any
successor in interest to the grantor whose interest appears of
record or of whose interest the trustee or the beneficiary has
actual notice, and any person requesting notice as provided in ORS
86.785.

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 June 25,
1992. Each of said notices was mailed after the notice of default
and election to sell described in said notice of sale was recorded
and at least 120 days before the day fixed in said notice by the
trustee for the trustee's sale.

SUBSCRIBED and sworn to before me this 15 day of
October, 1992.



Denise Hurley
Notary Public for Oregon
My Commission expires: 9/15/95

AFTER RECORDING RETURN TO:

Brandsness & Brandsness, P.C.
411 Pine Street
Klamath Falls, Oregon 97601

TRUSTEE'S NOTICE OF SALE

This notice of sale is given pursuant to ORS 86.735.

- (1) **PARTIES:** GRANTOR: Donald E. Bailey and William E. Bailey
ORIGINAL TRUSTEE: Mountain Title Company of Klamath County
ORIGINAL BENEFICIARY: Alyson Casey, Trustee for Gienger Liquidating Trust

(2) **DESCRIPTION OF PROPERTY COVERED BY THE TRUST DEED:**

That portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, not included in the First and Second Additions to Chiloquin, Oregon, described as follows: Starting at the East quarter corner of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon; thence South 1050 feet, more or less, to the Northeast corner of the First Addition to Chiloquin, Oregon; thence West 390 feet; thence North 63 degrees 08' West, 888 feet to the Southern Pacific Railway right of way; thence North 26 degrees 52' 750 feet, more or less, along the Southern Pacific Railway right of way; thence East to the point of beginning.

- (3) **RECORDING:** The Trust Deed was recorded on June 9, 1989, in the Mortgage Records of Klamath County, Oregon in Volume M89, Page 10278.

- (4) **DEFAULT:** The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: failure to pay monthly interest payments for November, 1990 in the sum of \$110.00 and the December, 1990 payment in the sum of \$200.00 and a \$200.00 payment for each month thereafter, plus failure to pay real property taxes in the sum of \$2,428.87.

- (5) **SUM OWING ON OBLIGATION SECURED BY TRUST DEED:** By reason of said default the Beneficiary has declared the entire unpaid balance of all obligations secured by said Trust Deed together with the interest thereon immediately due, owing and payable, said sums being the following, to-wit: \$6,361.18, plus delinquent interest of \$23.27 plus interest at 8% per annum on the principal sum from May 7, 1991, plus real property taxes in the sum of \$2,428.87 plus interest, plus all further advances made by the beneficiary, and trustee's fees and attorney's fees as provided by law, plus all sums due for taxes, insurance, trustees fees, attorneys fees, and all other sums recoverable by the beneficiary under the note and Trust Deed.

- (6) **ELECTION TO SELL:** The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the official Records of Klamath County, Oregon.

- (7) **SALE:** The sale shall be held on September 29, 1992, at the hour of 10:00 a.m., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at front steps of Klamath County Courthouse 316 Main Street Klamath Falls, Oregon.

- (8) **RIGHT TO DISMISSAL AND REINSTATEMENT:** Take notice that any person named in ORS 86.753 has the right, at any time prior to five (5) 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, or the Beneficiary's successor in interest, 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 of the Trust Deed 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 the trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

In construing this notice and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter, 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 successors in interest, the word "Trustee" includes any Successor Trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed.

Dated: May 19, 1992.

By: [Signature]
Trustee

STATE OF OREGON)
County of Klamath) ss. May 19, 1992

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named Trustee; that I have carefully compared the foregoing copy of trustee's Notice of Sale with the original thereof and that the foregoing is a true, correct and exact copy of the original Trustee's Notice of Sale and of the whole thereof.

Dated this 19 day of MAY, 1992.

[Signature]
Attorney for Trustee

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness & Brandsness the 15th day of Oct. A.D., 19 92 at 3:45 o'clock P.M., and duly recorded in Vol. M92, of Mortgages on Page 24213.

FEE \$20.00

Evelyn Biehn - County Clerk

By [Signature]