

96 DEC 16 P2:51

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON

Deschutes County

I, Dennis Fennell, being first duly sworn, depose, certify and say: that at all times mentioned herein 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 beneficiary's successor in interest named in the attached original Notice of Sale given under the terms of the deed described in the Notice of Sale.

I gave notice of the sale of the real property described in the attached Notice of Sale by mailing a copy thereof by first class mail and certified mail with return receipt requested to each of the following named persons at their respective last known addresses:

Name
Colleen M. Grable
Michael Grable

Address
P.O. Box 1097, Lapine OR 97739
P.O. Box 1097, Lapine OR 97739

Said 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 beneficiary or trustee 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 pursuant to ORS 85.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by me; each such copy was contained in a sealed envelope, with postage thereon fully paid, and was deposited by me in the United States Post Office at Bend, Oregon, on August 9, 1996. With respect to each person listed above, one such notice was mailed with postage sufficient for first class delivery to the address indicated, and another such notice was mailed certified with return receipt requested, and postage was prepaid. Each of the notices was mailed after the Notice of Default and Election to Sell described in the Notice of Sale was recorded.

Dated December 12, 1996

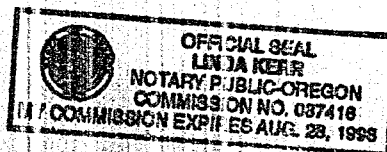
Dennis Fennell
Dennis Fennell

Subscribed and sworn to before me on December 12, 1996,

Linda Kerr
Notary Public for Oregon

After recording return to:

Dennis Fennell
Attorney at Law
1195 NW Wall
Bend, OR 97701



cb
20-

TRUSTEE'S NOTICE OF SALE

Reference is made to the certain trust deed made by Michael Lee Grable and Colleen M. Grable, husband and wife, Grantor, to Bend Title Company as Trustee, in favor of Harold Elliot as beneficiary, dated November 1, 1994, recorded November 18, 1994 in the mortgage records of Klamath County, Oregon in Volume M94 page 35507, covering the following described real property situated in the above-mentioned County and State, to wit:

Lot 17 in Block 3, Plat No. 1204, Little River Ranch, according to the official plat thereof on file in the office of the Court Clerk of 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 ORS 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: the May, 1996, payment of \$146.89; the June, 1996, payment of \$146.89; and the July, 1996 payment of \$146.39.

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: \$16,181.00.

Wherefore, notice is hereby given that the undersigned trustee will sell in accord with the standard of time established by ORS 187.110 on January 3, 1997, at 9:00 a.m. at the following place: Oregon State Police Office, Gilchrist, Oregon, which is the hour, date and place last set for the sale, 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 of 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 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 August 9, 1996

State of Oregon
Deschutes County


Dennis Fennell, Trustee

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

Dennis Fennell, Trustee

NOTICE

FAIR DEBT COLLECTION PRACTICES ACT
15 USCA 1601 ET SEC

THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THIS PURPOSE.

1. The amount of the debt is: \$16,181.00.
2. The name of the creditor to whom the debt is owed is: Harold Elliot.
3. Unless the consumer, within thirty (30) days after receipt of this Notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by September 15, 1996.
4. If the consumer notifies Dennis Fennell within the thirty (30) day period that the debt, or any portion thereof, is disputed, Dennis Fennell will obtain verification of the debt or a copy of the judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by September 30, 1996.
5. Upon consumer's written request within the thirty (30) day period, Dennis Fennell will provide the consumer with the name and address of the original creditor if different from Harold Elliot.
6. Written request should be addressed to Dennis Fennell, 1195 NW Wall Street, Bend, Oregon 97701.

STATE OF OREGON - COUNTY OF KLAMATH: ss.

Filed for record at request of Dennis Fennell the 16th day
of December A.D., 19 96 at 3:51 o'clock P. M., and duly recorded in Vol. M96
of Mortgages on Page 31948.

FEE \$20.00

County Clerk
by Bernetha Letsch

Bernetha Letsch