

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON

ss:

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	Address
Todd R. Myers	HC 61 Box 1270, LaPine OR 97739
Sherri L. Myers	HC 61 Box 1270, LaPine OR 97739

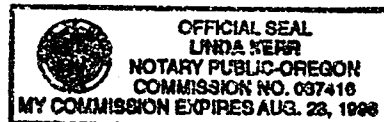
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the beneficiary or trustee has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest 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 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Dennis Fennell; 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 July 1, 1997. 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 July 1, 1997

  
 Dennis Fennell

Subscribed and sworn to before me on July 1, 1997.

  
 Notary Public for Oregon
AFFIDAVIT OF MAILING TRUSTEE'S  
NOTICE OF SALE

After recording return to:  
 Dennis Fennell  
 Attorney at Law  
 1195 NW Wall Street  
 Bend, OR 97701

 et  
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## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Todd R. Myers and Sherri L. Myers as Grantors, to Bend Title Company, an Oregon Corporation, as Trustee, in favor of Harold Elliot, as beneficiary, dated October 10, 1995, recorded October 16, 1995, in the mortgage records of Klamath County, Oregon in volume M95 at page No. 27980 covering the following described real property situated in the above-mentioned County and State, to wit:

Lot 9 in Block 3 of PLAT NO. 1204, LITTLE RIVER RANCH, according to the official plat thereof on file in the office of the County 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: \$190.69 on December 22, 1996, \$190.69 on January 22, 1997, February 22, 1997, March 22, 1997, and April 22, 1997.

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: \$21,400.

Wherefore, notice is hereby given that the undersigned trustee will on October 17, 1997 at 9:00 a.m., in accord with the standard of time established by ORS 187.110, at the Oregon State Police Office in Gilchrist, 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 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 July 1, 1997

  
Dennis Fennell  
Successor Trustee

NOTICE REQUIRED BY THE FAIR DEBT COLLECTION  
PRACTICES ACT, 15 U.S.C. SECTION 1692

1. The amount of the debt is stated in the Trustee's Notice of Sale attached hereto.
2. The beneficiary named in the attached Trustee's Notice of Sale is the creditor to whom the debt is owed.
3. The debt described in the Trustee's Notice of Sale attached hereto will be assumed to be valid by the trustee unless the debtor, within thirty (30) days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
4. If the debtor notifies the trustee in writing within thirty (30) days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.
5. If the creditor named as beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within the thirty (30) days from the receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written requests or objections should be addressed to Dennis Fennell,  
Attorney at Law, 1195 NW Wall Street, Bend, Oregon 97701

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Dennis Fennell the 22nd day  
of October A.D., 19 97 at 3:08 o'clock P.M., and duly recorded in Vol. M97  
of Mortgages on Page 34826

FEE \$20.00

By Bernetha G. Letsch County Clerk  
Kathleen Rosa