

AFTER RECORDING RETURN TO:
Shapiro & Kreisman
522 S.W. Fifth Avenue, #915
Portland, OR 97204
99-13604

ATE 50166

OREGON
AFFIDAVIT OF MAILING OF NOTICE OF SALE

I, Kelly D. Sutherland, say and certify that:

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 the successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail and first class mail to each of the following named persons at their last known addresses, to-wit:

Dan L. Thomas
24305 North Hwy 97
Chiloquin, OR 97624

Sandra C. Thomas
24305 North Hwy 97
Chiloquin, OR 97624

Dan L. Thomas
PO Box 953
Drain, OR 97543

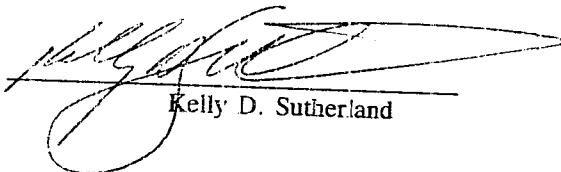
Sandra C. Thomas
PO Box 953
Drain, OR 97543

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Kreisman, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Portland, Oregon, on September 7, 1999. Each notice was mailed after the date that the Notice of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

50873

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

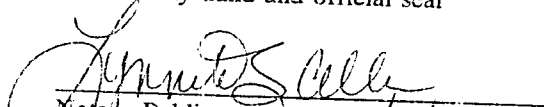

Kelly D. Sutherland

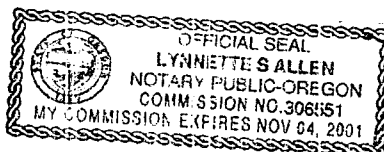
State of Oregon)

County of Multnomah)

On this 14th day of September, in the year 1999, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal


Notary Public
My Commission Expires 11/4/01



Lender Loan #: 54568046

99-13604

TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Dan L. Thomas and Sandra C. Thomas, as tenants by the entirety as grantor, to First American Title, as Trustee, in favor of Imperial Credit Industries, Inc., a California corporation as Beneficiary, dated September 14, 1995, recorded September 22, 1995, in the mortgage records of Klamath County, Oregon, in Book No. M95 at Page 25661, beneficial interest having been assigned to Federal National Mortgage Association, covering the following described real property:

See complete Legal Description attached hereto as "Exhibit A"

COMMONLY KNOWN AS: 24305 North Highway 97, Chiloquin, OR 97624

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 Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments in the sum of \$1,519.29 from March 1, 1999, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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 sum being the following, to-wit:

\$180,110.36, together with interest thereon at the rate of 7.25000% per annum from February 1, 1999 together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 5, 2000 at the hour of 11:00 am, in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 317 South 7th Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor has or had power to convey at the time of the execution of said trust deed, together with any interest which the grantor or his 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 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 obligations 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 said ORS 86.753.

In construing this notice, 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 words "trustee" and "beneficiary" include their respective successors in interest, if any.

Also, please be advised that pursuant to the terms stated on the Deed of Trust and Note, the beneficiary is allowed to conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose.

KELLY D. SUTHERLAND
Successor Trustee

Dated 8/27/99

By: 

State of Oregon, County of Multnomah ss:

I, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale

SHAPIRO & KREISMAN
522 SW 5th Avenue
Suite 915
Portland, Oregon 97204
(503) 241-0772

Lender Loan #: 54568046

EXHIBIT "A"

50876

PARCEL 1:

That portion of the SW 1/4 of the SE 1/4 of Section 15, Township 36 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, lying East of the Easterly right of way of the Southern Pacific Railroad. LESS that portion lying within the right of way of the Dalles-California Highway.

CODE 118 & 138 MAP 3607-A1500 TL 1000
CODE 138 & 118 MAP 3607-A1500 TL 1000

PARCEL 2:

Lot 16, MODOC POINT, in the County of Klamath, State of Oregon.

CODE 70 MAP 3607-A15CD TL 1000

State of Oregon, County of Klamath
Recorded 12/28/99 at 2:29 p.m.
In Vol. M99 Page 50872
Linda Smith,
County Clerk Fee \$ 30⁰⁰