

State of Oregon, County of Klamath

Recorded 10/01/04 10:33a mVol M04 Pg 66308-12

Linda Smith, County Clerk

Fee \$ 41.00 # of Pgs 532.00 ope

04 OCT 1 AM 10:33

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made on April 24, 1998, between Dennis E. Cobb as Grantor, First American Title Company as Trustee, and Harold Elliot as Beneficiary, recorded on April 24, 1998, at Volume 98 page 14281 of the Mortgage Records of Klamath County, Oregon, covering the below described real property:

Lot 7, Block 5, Tract 1204, Little River Ranch, according to the official plat thereof on file in the office of the County Clerk, 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: April, May, and June, 2004, payments of \$321.61 each for a total of \$964.83.

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: \$29,547.47 unpaid principal, \$829.15 unpaid interest, and accruing interest of \$8.88 per day.

Wherefore, notice is hereby given that the undersigned trustee will on November 16, 2004, at 9:00 a.m., in accord with the standard of time established by ORS 187.110, at the Oregon State Police Station, 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

After recording return to:

Dennis Fennell

Attorney at Law

1197 NW Wall Street

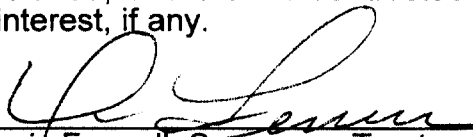
Bend, OR 97701

41 ✓
32 08

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.

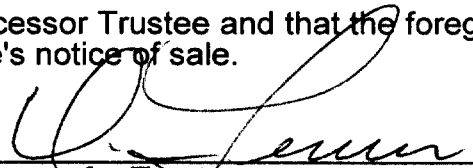
Dated July 2, 2004


Dennis Fennell, Successor Trustee

State of Oregon)

Deschutes County)

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


Attorney for Trustee

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON

Deschutes County

I, Dennis Fennell, being first duly sworn, depose and say:


Reference is made to that certain trust deed made on April 24, 1998, between Dennis E. Cobb as Grantor, First American Title Company as Trustee, and Harold Elliot as Beneficiary, recorded on April 24, 1998, at Volume 98 page 14281 of the Mortgage Records of Klamath County, Oregon, covering the below described real property:

Lot 7, Block 5, Tract 1204, Little River Ranch, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

I hereby certify that on September 21, 2004, the above described real property was not occupied.

The term "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.

Dated 9-21-04

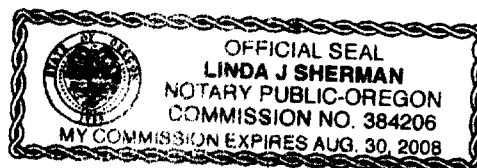

Dennis Fennell, Successor Trustee

SUBSCRIBED AND SWORN to before me by Dennis Fennell on 9-21-04


Notary Public for Oregon

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCY

After recording return to:
Dennis Fennell
Attorney at Law
1197 NW Wall Street
Bend, OR 97701



Affidavit of Publication

66311

STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, Business Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that I know from my personal knowledge that the

Legal # 6888

Notice of Sale/Cobb

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)

Four

Insertion(s) in the following issues:

August 11, 18, 25, September 1, 2004

Total Cost: \$588.00

Subscribed and sworn

before me on: September 1, 2004

Notary Public of Oregon

My commission expires March 15, 2008

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made on April 24, 1998, between Dennis E. Cobb, as Grantor, First American Title Company as Trustee, and Harold Elliot as Beneficiary, recorded on April 24, 1998, at Volume 98 page 14281 of the Mortgage Records of Klamath County, Oregon, covering the below described real property:

Lot 7, Block 5, Tract 1204, Little River Ranch, according to the official plat thereof on file in the office of the County Clerk, 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: April, May, and June, 2004, payments of \$321.61 each for a total of \$964.83.

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: \$29,547.47 unpaid principal, \$829.15 unpaid interest, and accruing interest of \$8.88 per day.

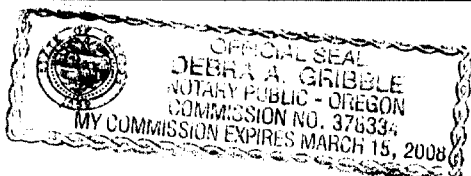
Wherefore, notice is hereby given that the undersigned trustee will on November 16, 2004, at

9:00 AM, in accord with the standard of time established by ORS 187.110, at the Oregon State Police Station, 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 2, 2004. Dennis Fennell, Successor Trustee. State of Oregon)) Deschutes County)).

I, the undersigned, certify that I am the Successor Trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale. D. Fennell, Attorney for Trustee. #6888 August 11, 18, 25, September 1, 2004.



66312

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:

Sandy Cobb
2056 Aldebra Street
Eugene OR 97402

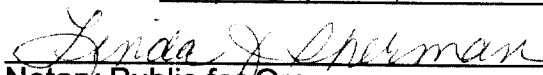
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the beneficiary or trustee has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest 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 2, 2004. 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 9-21-04


Dennis Fennell

Subscribed and sworn to before me by Dennis Fennell on 9-21-04


Notary Public for Oregon

