

76051

K-45702

Vol. 94 Page 4914

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE PURSUANT TO ORS 86.740-AND PROOF OF SERVICE
TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON

County of Lane ss.

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7D(2) and 7D(3), upon the following persons:

NAME OF PERSON TO BE SERVED

ADDRESS

Malcolm A.R. Berens

24382 High Pass Road
Junction City, OR 97448

Edward N. Bernabe

24382 High Pass Road
Junction City, OR 97448

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 trustee or the beneficiary 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, as required by ORS 86.785.

Service should be made by October 24, 1993, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, but it appears that it is possible to effect service upon the above named person, persist in making service until it has been accomplished.

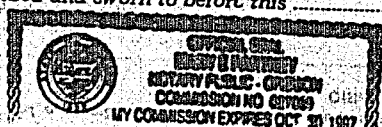
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before this

27th day of September, 1993

Successor (Attorney for) Trustee

(SEAL)



Mary E. Portney
Notary Public for Oregon
My commission expires: 10-30-97

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

TRUSTEE'S INSTRUCTIONS AND PROOF OF SERVICE OF TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Malcolm A.R. Berens and
Edward N. Bernabe

Grantor

Keith W. Thompson

Trustee

AFTER RECORDING RETURN TO
Keith W. Thompson
Attorney at Law
P.O. Box 56
Junction City, OR 97448

STATE OF OREGON,

County of ss.

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Mortgages of said County. Witness my hand and seal of County affixed.

By Deputy

BOOK OF REFERENCE

02-14-94P03:48 RCVD

TRUSTEE'S NOTICE OF SALE

4915

Reference is made to that certain trust deed made by MALCOLM A.R. BERENS and EDWARD N. BERNABE

OREGON TITLE INSURANCE COMPANY, as grantor, to
in favor of FRED & SHIRLEY SEEL, as trustee,
dated September 12, 1991, recorded October 2, 1992, in the mortgage records of
Klamath County, Oregon, in Book 1991 / volume No. M91, at page 20005, or
as to the instrument recorded in said records covering the following described real
property situated in said county and state, to-wit:

"Loc. 28, Block 4, Klamath Falls Forest Estates Highway 66 Unit, Plat #1, 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 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:

1. \$10,000.00 plus 15% interest due from 9-12-91 to the present.
2. Taxes for years 1990-1991, 1991-1992 and 1992-1993 for a total of \$283.32 plus interest.

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, to-wit:

1. \$10,000.00 plus 15% interest due from 9-12-91 to the present.
2. Taxes due since 1990-1991 to the present totaling \$283.32 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on February 23, 1994 at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at steps of the Klamath County Courthouse 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 had or had power to convey at the time of the execution by him of the 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 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 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.

DATED September 24, 1993

Successor Trustee

State of Oregon, County of _____

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co Attorney for the Trust 14th day
of Feb A.D. 19 94 at 3:48 o'clock P.M., and duly recorded in Vol. M94
of Mortgages on Page 4914

FEE \$15.00

Evelyn Biehn County Clerk

By Evelyn Biehn