

OC 77091

Valmay Page 6859

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT 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 Klamath } 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 occupant of the property described in said Notice of Sale. The name of the person to be served, if known, and the property address of the property described in said trust deed, are as follows:

NAME OF PERSON TO BE SERVED
(If unknown, so state)
Janet Gaff or current tenant

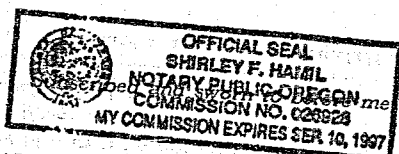
PROPERTY ADDRESS

3434 Bisbee, Klamath Falls, OR 97603

If the occupant is indicated as "unknown", or if you find the property at said address to be occupied by other than the person named, then you are instructed to serve the person or persons whom you find to be occupying said property.

Service should be made by March 29, 1994, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, 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.



James R. Uerlings
James R. Uerlings (Attorney for) Trustee

this 18th day of February, 1994.

Shirley F. Hamil
Notary Public for Oregon. My commission expires: 9-10-97

(SEAL)

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 UPON OCCUPANT OF TRUSTEE'S NOTICE OF SALE
(120-Day Notice per ORS 86.750(1))

RE: Trust Deed from
Carlos Barragan & Yolanda Barragan

Grantor

TO

James R. Uerlings

Successor

Trustee

AFTER RECORDING RETURN TO
James R. Uerlings
110 N. 6th
Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

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

PROOF OF SERVICE

6860

STATE OF OREGON, County of KLAMATH ss.

I heraby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, as follows:

Personal Service Upon Individual(s)

Upon JANET GAFF, by delivering such true copy to him/her, personally and in person,
at 2424 DISBEE KLAMATH FALLS OR., on 2-27, 1994, at 3:25 o'clock P.M.
Upon _____, by delivering such true copy to him/her, personally and in person,
at _____, on _____, 19____, at _____ o'clock _____M.

Substituted Service Upon Individual(s)

Upon _____, by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____, who is a person over the
age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock _____M.
Upon _____, by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____, who is a person over the
age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock _____M.

Office Service Upon Individual(s)

Upon _____, at the office which he/she maintains for the conduct of
business at _____, the person who
by leaving such true copy with _____, 19____, during normal working hours, at to-wit: _____ o'clock, _____M.
is apparently in charge, on _____, 19____, at _____ o'clock _____M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

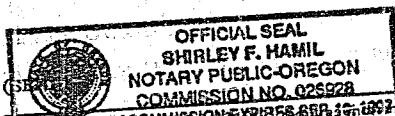
Upon _____ (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.), by _____ who is a/the
(a) delivering such true copy, personally and in person, to _____ thereof; OR
(b) leaving such true copy with _____, the person who is apparently in charge of the
office of _____, who is a/the * _____ thereof;
* Specify registered agent, officer (by title), director, general partner, managing agent.
at _____, on _____, 19____, at _____ o'clock _____M.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.

Harry Nielson

Subscribed and sworn to before me this 28 day of Feb., 1994.

Shirley F. Hamil
Notary Public for Oregon
My commission expires 9-10-97



PUBLISHER'S NOTICE: This form is a true and correct copy of the Notice of Sale to be served in the manner in which a summons is served pursuant to Oregon Rules of Civil Procedure 7 D. (2) and 7 D. (3). The Proof of Service above contains most, but not all, of the methods of service. For example, this form does not include proof of service upon a minor or incapacitated person. See ORCP 7 D. (2) and 7 D. (3) for complete service methods on particular parties.

TRUSTEE'S NOTICE OF SALE

6861

Reference is made to that certain trust deed made by Barragan, husband & wife, as grantor, to Transamerica Title Insurance Company, as trustee, in favor of Keith P. Mouser & Barbara L. Mouser, husband & wife, with rights of survivorship, dated 2-4, 1993, recorded 2-8, in the mortgage records of Klamath County, Oregon, in book 1087/110, page 1934, as fee/forfeiture/reception No. 20222, or property situated in said county and state, to-wit: See Exhibit A, attached hereto and incorporated by this reference.

James R. Uerlings, appointed Successor Trustee on 2-16-94 recorded 2-17-94 in Volume M-94, page 5249.

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) Klamath County property taxes of \$3,522.45 plus interest & late charges from 2-15-94.
- 2) Liens of the a) State of Oregon Employment Division of \$1,911.91 & \$707.46 plus interest & late charges, b) Internal Revenue Service of \$15,534.66 plus interest & penalties, c) SAIF Corporation of \$1,687.61 plus interest & penalties.

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:

\$ 17,118.07 including interest to 2-2-94 and interest thereafter at 10 % per annum.

WHEREFORE, notice hereby is given that the undersigned trustee will on 7-29, 1994, at the hour of 10 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at 110 N. 6th St. 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 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 said 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 February 23, 1994

James R. Uerlings
Successor Trustee

State of Oregon, County of Klamath
I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE: _____ Attorney for said Trustee

EXHIBIT "A"

6862

An 80' by 100' rectangular parcel in the Northeast corner of Lot 18, Block 7, ALTAMONT ACRES, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of said Lot 18; thence 80 feet generally South along the Easterly boundary of said Lot 18; thence generally West 100 feet along a line 80 feet from and parallel to the Northerly boundary of said Lot 18; thence generally North 80 feet along a line 100 feet from and parallel to the Easterly boundary of said Lot 18; thence generally East 100 feet along the Northerly boundary of said Lot 18 to the point of beginning.

CODE 41 MAP 3909-10AC TL 3600

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of James R. Herlings the 4th day
of March A.D., 19 94 at 11:09 o'clock A.M., and duly recorded in Vol. M94
of Mortgages on Page 6859

FEE \$25/00

Evelyn Biehn
By Carolene M. Henderson County Clerk