

51618 MTC 42184 Vol 1998 Page 1286

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

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

Occupants

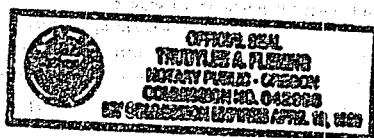
3920 Miller Avenue
Klamath Falls, Oregon

98 JUN 14 P 3:47

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 September 18, 1997, 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 me September 3, 1997

Michelle A. Fleming
Notary Public for Oregon
My commission expires 4-19-99

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
Phil K. Andersch

Grantor

TO
Mountain Title Company of
Klamath County

Trustee

AFTER RECORDING RETURN TO

Bradley S. Copeland, Esq.
P.O. Box 1758
Eugene, OR 97440-1758

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

SPACE RESERVED
FOR
RECORDER'S USE

NOTICE OF RECORD

AFFIDAVIT OF NON-OCCUPANCY

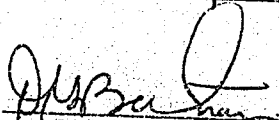
STATE OF OREGON

County of Klamath

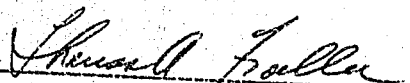
I, Donald G. Bertram, being first duly sworn, depose and say: That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath county, State of Oregon. I am not a party to, an attorney in, or interested in any suit or action involving the property described below.

That on the 11th DAY OF September, 1997, after personal inspection*, I found the following described real property to be unoccupied. * No response to door knock; MR. ED ANDRESEN TOLD ME BUILDING WAS EMPTY ON 9-17-97.

Commonly described as, (street address) 3920 Miller Ave

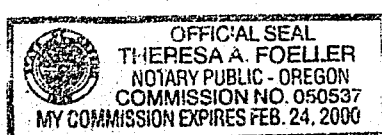
Klamath Falls, Ore 97603

Subscribed and Sworn to before me this 18th day of SEPTEMBER, 97.



Notary Public for Oregon

My Commission expires: _____



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Phil K. Andersch, as Grantor, to Mountain Title Company of Klamath County, as Trustee, in favor of Liberty Savings and Loan Association, as Beneficiary, dated November 18, 1986, and recorded November 18, 1986, in Volume M86, Page 21067, Microfilm Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

Lots 44 and 45, BALSIGER TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

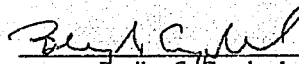
Both the Beneficiary and the Trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is Grantors' failure to pay when due the following sums: The entire principal balance, interest and escrow balance in the amount of \$161,279.23.

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: Principal balance in the amount of \$148,319.92, plus interest on the principal balance at the rate of 11% per annum from December 1, 1996, until paid.

WHEREFORE, notice is hereby given that the undersigned Trustee will on January 16, 1998, at the hour of 1:00 o'clock P.M., in accord with the standard of time established by ORS 187.110, at the following place: Front Lobby of Klamath County Sheriff's Office, 808 S. 5th 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 said described real property which the Grantors 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 Grantors or their 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 masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantors" includes any successor in interest to the Grantors 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 3, 1997.



Bradley S. Copeland, Successor Trustee

STATE OF OREGON)

) ss.

County of Lane) 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.



Attorney for Trustee

Bradley S. Copeland, Successor Trustee
800 Willamette Street, Suite 800
Eugene, OR 97401

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of AmeriTitle the 14th day
of January A.D., 19 98 at 3:47 o'clock PM., and duly recorded in Vol. M98
of Mortgages on Page 1286

FEE \$20.00

By Bernetha G. Lisch, County Clerk
Kathleen Ross