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74247

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 Klamath

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

1) Carol A. Hicks

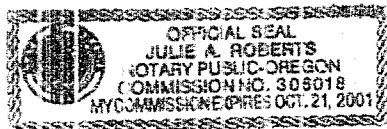
4550 Winter Avenue
Klamath Falls, OR 97603

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 February 7, 1999, 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.

James R. Uerling (Attorney for) Trustee



Subscribed and sworn to before me January 22, 1999

Notary Public for Oregon

My commission expires 10/21/01

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

Carol A. Hicks

Grantor

TO

James R. Uerlings

Successor Trustee

AFTER RECORDING RETURN TO

James R. Uerlings
110 N. 6th Street
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

in book/reel/volume No. on page or as fee/tile/instrument/microfilm/reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By Deputy

PROOF OF SERVICE

4381



STATE OF Oregon, County of Klamath, ss.

I hereby 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 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 Carol A. Hicks, by delivering such true copy to him/her, personally and in person, at 4850 Winter Ave, Klamath Falls, OR 97601, on January 28, 1999, at 3:54 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: _____, to _____, 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: _____, to _____, 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 _____, by leaving such true copy with _____, the person who is apparently in charge, on _____, 19____, during normal working hours, at to-wit: _____ o'clock _____M.

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

Upon _____, by _____ (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(a) delivering such true copy, personally and in person, to _____ who is at the _____ thereof; OR

(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is at the * _____ thereof;

* Specify registered agent, officer (by title), director, general partner, managing agent.

at _____, on _____, 19____, at _____ o'clock _____M.

Service Upon State of Oregon

Upon the State of Oregon by leaving such true copy with _____, a deputy/clerk (delete word inapplicable) at the office of the Attorney General on _____, 19____, at _____ o'clock _____M.

Service Upon Public Bodies

Upon _____, by _____

(a) serving such true copy, personally and in person on _____, who is the _____ thereof; OR

(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is at the * _____ thereof;

* Specify director, managing agent, clerk, secretary

at _____, on _____, 19____, at _____ o'clock _____M.

FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon _____, who is the district attorney for the county, by

(a) delivering such true copy, personally and in person, to said district attorney, OR (b) leaving such true copy with _____, the person who is apparently in charge of the district attorney's office, at _____, on _____, 19____, at _____ o'clock _____M.

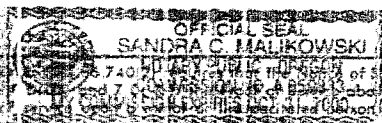
EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.

Service cannot be made upon _____, after reasonable efforts to do so have been made; I attempted to make service by _____

Subscribed and sworn to before me this 29 day of January, 1999.

Sandra C. Malikowski
Notary Public for Oregon
My commission expires 10/30/99

(SEAL)



PUBLISHER'S NOTE: This form is to be used in the manner in which a summons is served pursuant to Oregon Rules of Civil Procedure. It contains most, but not all, of the methods of service. For example, this form does not include proof of service by publication. See ORCP 7 D. (2) and 7 D. (3) for complete service methods on particular parties.

Reference is made to that certain trust deed made by Carol A. Hicks

as grantor, to
Amertitle as trustee,
 in favor of Forest Products Federal Credit Union, as beneficiary,
 dated May 16, 1997, recorded May 19, 1997, in the mortgage records of
Klamath County, Oregon, in ~~book~~ volume No. M97, at page 15244, or
 as ~~recorded in said county and state, to-wit:~~ covering the following described real
 property situated in said county and state, to-wit:

(See attached Exhibit A)

James R. Uerlings appointed Successor Trustee on March 25, 1998, recorded on March 27, 1998
 in Klamath County, Oregon in Volume M98, page 9913.

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 de-
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums:

(See attached Exhibit B)

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:

\$37,691.05 plus interest and penalties on the principal balance of \$36,614.02 at 8.125%
 per annum from December 31, 1998 until paid, plus all attorney fees, trustee's fees and
 costs of foreclosure.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 10, 1999,
 at the hour of 10:30 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at
110 N. 6th 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 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 per-
 formance 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 January 25, 1999.James R. Uerlings

Successor Trustee

State of Oregon, County of Klamath, ss:

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.

James R. Uerlings
Attorney for said Trustee

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: Carol A. Hicks
4550 Winter Avenue
Klamath Falls, OR 97603

EXHIBIT "A"
DESCRIPTION OF PROPERTY

A tract of land described as follows: Beginning at a point which lies North 88°57' East along the quarter line a distance of 1287 feet from the iron axle which marks the one quarter section corner common to Sections 10 and 11, Township 39 S., R. 9 E.W.M. and running thence: continuing North 88°57' East along the quarter line a distance of 63 feet to an iron pin which marks the Southeast corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 39 S., R. 9 E.W.M.; thence North 0°43' West a distance of 331.4 feet to a point; thence South 88°47' West a distance of 65.7 feet to a point; thence South 1°12' East a distance of 331.4 feet, more or less, to the point of beginning, said tract in the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 39 South, Range 9 E.W.M., Klamath County, Oregon. There is reserved for road purposes a strip of land 30 feet wide along the north side of this tract.

Exhibit B

1. Failure to make monthly payments of \$267.30 (principal and interest) for the months of October through December, 1998 and January 1999 and each month thereafter on the first of each month.
2. Late payment fees on each monthly payment not made within 15 days of the first of month. (Due for October 1998 - January 1999 in the amount of \$53.48 plus \$13.37 per month thereafter)
3. Failure to pay real property taxes and insurance in the sum of \$283.59, as of December 31, 1998 plus additional amounts for taxes and insurance as they become due.

STATE OF OREGON - COUNTY OF KLAMATH: ss.

Filed for record at request of James R. Uerlings the 5th day
of February A.D., 1999 at 10:28 o'clock A. M., and duly recorded in Vol. M99
of Mortgages on Page 4380

FEE

\$30.00

Linda Smith, County Clerk

by Kathleen Ross