

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT AND PROOF OF SERVICE

15-53704

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. to Sell

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)

PROPERTY ADDRESS

KAREN WATSON

101 Market Street
Bonanza, Oregon

1999 JUL 17 AM 11:09

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 31, 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, 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.

(Attorney for) Trustee

BLAIR M. HENDERSON, OSB #69074
this 16th day of March, 1999.



(SEAL) MY COMMISSION EXPIRES JAN. 03, 2000 Notary Public for Oregon. My commission expires: Jan. 3, 2000

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
KAREN WATSON

Grantor

TO

BLAIR M. HENDERSON

Successor Trustee

AFTER RECORDING RETURN TO

BLAIR M. HENDERSON, ATTY.
426 Main 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 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.

NAME

TITLE

By Deputy

56

PROOF OF SERVICE

28319

STATE OF Oregon, County of Clatsop 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 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 Karen Watson, by delivering such true copy to him/her, personally and in person,
at 101 Market St., on 8-16, 1999, at 4:52 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
to _____, 19____, at _____ o'clock ____M.
age of 14 years and a member of the household of the person served on _____,
Upon _____, by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____, who is a person over the
to _____, 19____, at _____ o'clock ____M.
age of 14 years and a member of the household of the person served on _____

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 _____

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

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

Lynise McQuinn

Subscribed and sworn to before me this _____ day of _____, 19____

Notary Public for Oregon
My commission expires _____

(SEAL)

PUBLISHER'S NOTE: ORS 86.740(2) requires that the Notice of Sale 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). This 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.

28320



ON

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Karen Watson, as grantor, to Aspen Title & Escrow, Inc., as trustee, Blair M. Henderson, successor trustee, in favor of Longhorn Restaurant and Saloon, Inc., as beneficiary, dated April 14, 1998, recorded: April 16, 1998, in the mortgage records of Klamath County, Oregon, in ~~book~~ XXXXX volume No. M98 at page 12714, or as fee/file/instrument/microfilm/reception No. n/a (indicate which), covering the following described real property situated in said county and state, to-wit:

See Exhibit 1, attached hereto and by this reference incorporated herein.

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:

See Exhibit 2, Section A, attached hereto and by this reference incorporated herein.

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:

See Exhibit 2, Section B, attached hereto and by this reference incorporated herein.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 4, 1999, at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at front of the office of Blair M. Henderson, 426 Main 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 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 March 9, 1999

BLAIR M. HENDERSON
Successor Trustee

Trustee

State of Oregon, County of _____ 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.

Attorney for said Trustee

SERVE: _____

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.

DESCRIPTION OF PROPERTY

PARCEL 1:

The West 25 feet of the following described property, in the County of Klamath, State of Oregon:

Commencing at the Southeast corner of Block 12, FIRST ADDITION TO THE TOWN OF BONANZA and running thence West along the South line of said Block, a distance of 75 feet; thence North a distance of 48' 3½" more or less to the Southeast corner of parcel conveyed to Bray in Book 163 at page 253, Deed Records; thence East along the South line of said Bray Parcel to the Southeasterly line of said Block 12; thence Southwesterly a distance of 58' 6½" more or less to the point of beginning.

PARCEL 2:

That part of Block 12, FIRST ADDITION TO BONANZA, IN THE County of Klamath, State of Oregon, described as follows:

Commencing at a point in the Southeasterly line of Block 12 of First Addition to Bonanza, which point is in the intersection of the Southeasterly line of said Block 12 with the centerline of the Southerly wall of the building located on the premises herein described and which said point is North 33-3/4° East 58 feet 6½ inches, more or less from the Southeast corner of said Block 12; thence continuing North 33-3/4° East along the said Southeasterly line of said Block 12, 31 feet 6½ inches, more or less, to the North line of said building, and being the East and West centerline of said Block 12; thence Westerly parallel with the South line of said Block a distance of 124.74 feet; thence South 26 feet 4½ inches; thence East to the place of beginning.

PARCEL 3:

Beginning at the Northeast corner of Block 12 of the FIRST ADDITION TO THE TOWN OF BONANZA, OREGON; thence West 170 feet; thence Southerly 75 feet; thence Easterly 120 feet; thence Northeasterly 80 feet to beginning, being the N½ of Block 12, LESS the Westerly 80 feet described in Book 33 at page 316, Deed Records, LESS description in Book 42 at Page 339, Deed Records of Klamath County, Oregon.

PARCEL 4:

Commencing at the Southeast corner of Block 12, FIRST ADDITION TO TOWN OF BONANZA and running thence West along the South line of said block a distance of 75 feet; thence North a distance of 48' 3½" more or less to the Southeast corner of parcel conveyed to Bray in Book 163 at Page 253, Deed Records; thence East along the South line of said Bray parcel to the Southeasterly line of said Block 12; thence Southwesterly a distance of 58' 6½" more or less, to the point of beginning.

EXCEPTING THEREFROM the West 25 feet to the hereinabove described property measured parallel to the Westerly boundary.

SECTION A:

1. Delinquent installments as follows:

- a. December 16, 1998, in the amount of \$2,500.00
- b. January 16, 1999, in the amount of \$2,500.00
- c. February 16, 1999, in the amount of \$2,500.00

2. Delinquent taxes as follows:

- a. Taxes for the year 1998-99:
 - Tax Amount : \$103.15
 - Unpaid balance : \$103.15, plus interest, if any
 - Code No. : 11
 - Account No. : 3911-10CA-5500
 - Key No. : 606516
- b. Taxes for the year 1998-99:
 - Tax Amount : \$777.84
 - Unpaid balance : \$777.84, plus interest, if any
 - Code No. : 11
 - Account No. : 3911-10CA-5600
 - Key No. : 606507
- c. Taxes for the year 1998-99:
 - Tax Amount : \$13.06
 - Unpaid balance : \$13.06, plus interest, if any
 - Code No. : 11
 - Account No. : 3911-10CA-5800
 - Key No. : 606525

3. Delinquent sewer taxes with the City of Bonanza in the sum of \$504.00, plus interest, if any.

SECTION B:

1. Principal balance of \$140,320.47, plus interest at the rate of 8% per annum from December 16, 1998, until paid; plus the following delinquent taxes:

- a. Taxes for the year 1998-99:
 - Tax Amount : \$103.15
 - Unpaid balance : \$103.15, plus interest, if any
 - Code No. : 11
 - Account No. : 3911-10CA-5500
 - Key No. : 606516
- b. Taxes for the year 1998-99:
 - Tax Amount : \$777.84
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 - Account No. : 3911-10CA-5600
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- c. Taxes for the year 1998-99:
 - Tax Amount : \$13.06
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 - Code No. : 11
 - Account No. : 3911-10CA-5800
 - Key No. : 606525

3. Delinquent sewer taxes with the City of Bonanza in the sum of \$504.00, plus interest, if any.

EXHIBIT " 2 "

Page 1 of 1

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99 MAR -9 P2:05

Vol. M99 Page 8340

NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by KAREN WATSON

Aspen Title & Escrow, Inc., as trustee, Blair M. Henderson, as grantor, to
 in favor of Longhorn Restaurant and Saloon, Inc., as trustee,
 dated April 14, 1998, recorded April 16, 1998, in the mortgage records of
Klamath County, Oregon, in ~~book~~/reel/volume No. M98 at page 12714, or as
 fee/file/instrument/microfilm/reception No. n/a (indicate which), covering the following described real
 property situated in the above-mentioned county and state, to-wit:

See Exhibit 1, attached hereto and by this reference incorporated herein.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made except as recorded in the mortgage records of the county or counties in which the above-described real property is situated, further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by the grantor or other person owing an obligation, the performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

See Exhibit 2, Section A, attached hereto and by this reference incorporated herein.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

See Exhibit 2, Section B, attached hereto and by this reference incorporated herein.

— OVER —

NOTICE OF DEFAULT
AND ELECTION TO SELL

Her Trust Deed from

KAREN WATSON

Grantor

TO

BLAIR M. HENDERSON,

Successor Trustee

After recording return to (Name, Address, Zip):

BLAIR M. HENDERSON, ATTY.426 Main StreetKlamath Falls, OR 97601SPACE 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/instru-
 ment/microfilm/reception No. _____,
 Record of Mortgages of said County.

Witness my hand and seal of
 County affixed.

NAME

TITLE

By _____, Deputy

K53704

28324 8341

Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which the grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest the grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The sale will be held at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 137.110 on August 4, 1999, at the following place: front of the office of Blair M. Henderson, 426 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except:

NAME AND LAST KNOWN ADDRESS

NATURE OF RIGHT, LIEN OR INTEREST

Klamath Fruit & Produce, Inc.
3028 Onyx Avenue
Klamath Falls, OR 97603

Judgment in the amount of \$811.51,
plus interest and costs, if any.
Entered: September 14, 1998
Debtor: Gary Epperson dba Longhorn
Restaurant

Ivan H. Bold
P. O. Box 158
Bonanza, OR 97623

Interest contained in Deed dated
January 19, 1979; recorded January
January 23, 1979, Volume M79, Page
1973, from Betty J. Cochran to
Ivan H. Bold and Orvel D. Beard.
(Parcel 1)

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 the 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED March 8, 1999

Blair M. Henderson

Successor Trustee

Trustee

Beneficiary

(state which)

STATE OF OREGON, County of Klamath) ss.

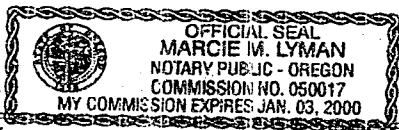
This instrument was acknowledged before me on March 8, 1999,
by BLAIR M. HENDERSON

This instrument was acknowledged before me on _____, 19____,

by _____,

as _____,

of _____.



Marcie M. Lyman
Notary Public for Oregon
My commission expires Jan 3, 2000

DESCRIPTION OF PROPERTY

PARCEL 1:

The West 25 feet of the following described property, in the County of Klamath, State of Oregon:

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PARCEL 3:

Beginning at the Northeast corner of Block 12 of the FIRST ADDITION TO THE TOWN OF BONANZA, OREGON; thence West 170 feet; thence Southerly 75 feet; thence Easterly 120 feet; thence Northeasterly 90 feet to beginning, being the N½ of Block 12, LESS the Westerly 80 feet described in Book 33 at page 316, Deed Records, LESS description in Book 42 at Page 539, Deed Records of Klamath County, Oregon.

PARCEL 4:

Commencing at the Southeast corner of Block 12, FIRST ADDITION TO TOWN OF BONANZA and running thence West along the South line of said block a distance of 75 feet; thence North a distance of 48' 3½" more or less to the Southeast corner of parcel conveyed to Bray in Book 163 at Page 253, Deed Records; thence East along the South line of said Bray parcel to the Southeasterly line of said Block 12; thence Southwesterly a distance of 58' 6½" more or less, to the point of beginning.

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 Key No. : 606516
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 Code No. : 11
 Account No. : 3911-10CA-5600
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- c. Taxes for the year 1998-99:
 Tax Amount : \$13.06
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 Code No. : 11
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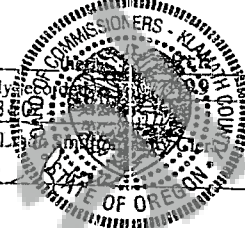
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28327

STATE OF OREGON : COUNTY OF KLAMATH: SS.

Filed for record at request of First American Title
of March A.D., 1999 at 2:05 o'clock P. M., and duly recorded on Page 83
of Mortgages day

FEE \$30.00

INDEXED
D✓ LV✓by Kathleen

State of Oregon, County of Klamath

Recorded 7/15/99, at 11:09 a. m.In Vol. M99 Page 28318

Linda Smith,

County Clerk: Fee \$ 55 H.R.