

1000 DEC 9 AM 10:06  
**INSTRUCTIONS FOR SERVICE OF TRUSTEE'S  
 NOTICE OF SALE UPON OCCUPANT PURSUANT  
 TO ORS 86.750 (1) AND PROOF OF SERVICE  
 (120-day Notice)**

RE: Trust Deed from

To

Grantor

Trustee

SPACE RESERVED  
 FOR  
 RECORDER'S USE

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

ASPEN TITLE &amp; ESCROW, INC

ATTN: FORECLOSURE DEPARTMENT

Vol 1891 Page 48486

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON,

} ss.

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  
 7 D. (2) and 7 D. (3), upon the occupant of the property described in the Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in the trust deed, are as  
 follows:

Name of person to be served  
 (If unknown, so state)

Property Address

Deborah Hollenbeak &amp; Sheryl Mc Lemore

2129 Hope Street  
 Klamath Falls, Oregon 97603

Carter-Jones Collection LLC

1143 Pine Street  
 Klamath Falls, Oregon 97601

Wells Fargo Bank, N.A.

2809 South Sixth Street  
 Klamath Falls, Oregon 97603

If the occupant is indicated as "unknown", or if you find the property at this 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 the property.

Service should be made by August 1, 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 attempting to make  
 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 this 23rd day of July, 1999.

Notary Public for Oregon

My commission expires 12-17-99



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 the Notice of Sale certified to be such by the attorney for the trustee or successor trustee, as follows:

**Personal Service Upon Individual(s)**

Upon \_\_\_\_\_, by delivering such true copy to him/her, personally and in person,  
at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_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 \_\_\_\_\_, 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  
to \_\_\_\_\_, 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)**

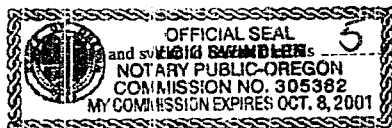
Upon \_\_\_\_\_, at the office which he/she maintains for the conduct of  
business at \_\_\_\_\_, by leaving such true copy with \_\_\_\_\_, the person who  
is apparently in charge, on \_\_\_\_\_, 19\_\_\_\_, during normal working hours, at \_\_\_\_\_ o'clock, \_\_\_\_M.

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

Upon Carter Jones Collection LLC, by  
(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)  
(a) delivering such true copy, personally and in person, to Theresa Foelker who is a/the  
person in charge thereof; OR  
(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the  
office of \_\_\_\_\_, who is a/the \_\_\_\_\_ thereof;  
at 1143 Pine Street Clatsop Falls OR, on July 28, 1999, at 12:05 o'clock P.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.

Wendy Young



day of August, 1999

Vicki Swindle  
Notary Public for Oregon

My commission expires 10-8-2001

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

PUBLISHER'S NOTE: ORS 86.750(1) requires that the Notice of Sale to be served upon the occupant in the manner in which a summons is served pursuant to ORCP 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.

ON

ASPEN 04049652  
TRUSTEE'S NOTICE OF SALE

48488



Reference is made to that certain trust deed made by Deborah Hollenbeak and Sheryl McLamore, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Robert Raby\*, dated September 23, 1994, recorded September 30, 1994, in the mortgage records of Klamath County, Oregon, in book ~~ASpen Title & Escrow~~ No. M94 at page 30638, or as fee ~~XXXXXX BY XXXXX BY XXXXX~~ 88995 (indicate which), covering the following described real property situated in said county and state, to-wit:

See attached Exhibit "A"

\*Assigned on May 20, 1999 and recorded on June 1, 1999 by instrument M99 Page 21473

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:

Balance of monthly installments of not less than \$250.65 due from August 5, 1998 to present; and subsequent installments of like amounts; subsequent amounts for assessments due under the terms and provisions of the Note of Trust Deed.

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: \$15,502.77 plus interest, late charges and assessments, thereon from August 5, 1998 at the rate of Eight (8.750%) point seven five percent per annum until paid and all sums expended by the beneficiary pursuant to the terms and provisions of the Note and Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 13, 1999, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Front entrance to Aspen Title & Escrow, Inc., located at 525 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 July 23, 1999

  
ANDREW A. PATTERSON

Trustee

State of Oregon, County of Klamath

ss:

I, the undersigned, certify that I am the ~~attorney in fact~~ of the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

  
ANDREW A. PATTERSON 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:

## EXHIBIT "A"

A portion of the SE 1/4 NW 1/4 Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the South boundary of said SE 1/4 NW 1/4 495 feet East of the Southwest corner of said SE 1/4 NW 1/4; thence North and parallel to the West line of said SE 1/4 NW 1/4, 720 feet to the Southwest corner of the tract herein conveyed, being the place of beginning of this description; thence from said place of beginning East and parallel to the North line of said SE 1/4 NW 1/4, 165 feet; thence North and parallel to the West line of said SE 1/4 NW 1/4, 100 feet; thence West and parallel to the North line of said SE 1/4 NW 1/4, 165 feet; thence South and parallel to the West line of said SE 1/4 NW 1/4, 100 feet to the point of beginning.

LESS Hope Street and that portion described in Deed Volume 351 at Page 629, all being in Klamath County, Oregon.

Tax Acct. No.: 3909-2BD-5300      Key No.: 517621

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48490

ASSIGNMENT OF TRUST DEED  
BY BENEFICIARY

ROBERT RABY

Assignor  
ASPEN TITLE AND ESCROW INC. 401(K)  
PROFIT SHARING PLAN TRUST

Assignee

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

ASPEN TITLE  
COLLECTION DEPT. #2013SPACE 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  
\_\_\_\_\_ and/or as fee/file/instru-  
ment/microfilm/reception No. \_\_\_\_\_,  
Records of said County.Witness my hand and seal of County  
affixed.

NAME

TITLE

By \_\_\_\_\_, Deputy.

FOR VALUE RECEIVED, the undersigned who is the beneficiary or the beneficiary's successor in interest under that cer-  
tain trust deed dated September 23, 1994, executed and delivered by Deborah Hollenbeak and  
Sheryl Mclemore, grantor,  
to Aspen Title & Escrow, Inc., trustee, in which  
Robert Raby is the beneficiary, recorded  
on September 30, 1994, in book/reel/volume No. M94 on page 30638, and/or as fee/file/instrument/  
microfilm/reception No. 88995 (indicate which) of the Records of Klamath County, Oregon and  
conveying real property in that county described as follows:

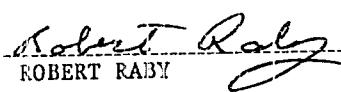
SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND MADE A  
PART HEREOF AS THOUGH FULLY SET FORTH HEREIN .....

hereby grants, assigns, transfers, and sets over to Aspen Title and Escrow Inc., 401(K) Profit Sharing  
Plan Trust, hereinafter called assignee, and assignee's heirs, personal representatives, successors and assigns,  
all of the beneficial interest in and under the trust deed, together with the notes, moneys and obligations therein described or referred  
to, with the interest thereon, and all rights and benefits whatsoever accrued or to accrue under the trust deed.

The undersigned hereby covenants to and with the assignee that the undersigned is the beneficiary or beneficiary's successor  
in interest under the trust deed and is the owner and holder of the beneficial interest therein and has the right to sell, transfer and  
assign the same, and the note or other obligation secured thereby. There is now unpaid on the obligations secured by the trust deed  
the sum of not less than \$ 15,502.77 with interest thereon at the rate of 8.750 percent per annum from  
March 8, 1999.

In construing this instrument, and whenever the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the undersigned has hereunto executed this document. If the undersigned is a corporation, it has  
caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board  
of directors.

Dated MAY 20, 1999.
  
ROBERT RABY
WASHINGTON  
STATE OF OREGON, County of Pierce ) ss.This instrument was acknowledged before me on May 24, 1999  
by Robert Raby

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_,

by \_\_\_\_\_

as \_\_\_\_\_

of \_\_\_\_\_

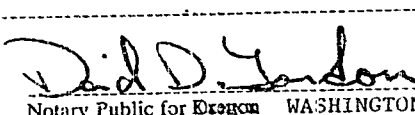
  
Notary Public for Oregon WASHINGTON

EXHIBIT "A"

21474  
48491

A portion of the SE 1/4 NW 1/4 Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the South boundary of said SE 1/4 NW 1/4, 495 feet East of the Southwest corner of said SE 1/4 NW 1/4; thence North and parallel to the West line of said SE 1/4 NW 1/4, 720 feet to the Southwest corner of the tract herein conveyed, being the place of beginning of this description; thence from said place of beginning East and parallel to the North line of said SE 1/4 NW 1/4, 165 feet; thence North and parallel to the West line of said SE 1/4 NW 1/4, 100 feet; thence West and parallel to the North line of said SE 1/4 NW 1/4, 165 feet; thence South and parallel to the West line of said SE 1/4 NW 1/4, 100 feet to the point of beginning.

LESS Hope Street and that portion described in Deed Volume 351 at Page 629, all being in Klamath County, Oregon.

CODE 41 MAP 3909-2BD TL 5300

State of Oregon, County of Klamath  
Recorded 6/01/99, at 2:30 p.m.  
In Vol. M99 Page 21473  
Linda Smith, County Clerk  
Fee \$ 15

*Linda Smith*

State of Oregon, County of Klamath  
Recorded 12/01/99, at 10:06 a.m.  
In Vol. M99 Page 48486  
Linda Smith,  
County Clerk Fee \$ 35.00