

1. DESCRIPTION OF TRUST DEED. This notice refers to that certain trust deed executed by MARY N. REYES, aka MARY NAN REYES, aka MARY REYES, as Grantor; to FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON, as Trustee, in favor of SADDLE MOUNTAIN COMPANY PENSION TRUST, as Beneficiary, dated August 27, 1998, recorded August 31, 1998, in Volume M98, Page 31983, in the Mortgage Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

PARCEL 1: A parcel of land situated in Section 19, Township 34 South, Range 8 East of the Willamette Meridian, being more particularly described as follows:

Beginning at a 5/8 inch iron pin marking the Northeast corner of the Southwest quarter of said Section 19; thence South 88°43'06" West along the Northerly line of said SW $\frac{1}{4}$ 1312.14 feet to a 5/8 inch iron pin marking the Northwest corner of the East half of said SW $\frac{1}{4}$; thence South 00°18'57" East along the Westerly line of said E $\frac{1}{2}$ SW $\frac{1}{4}$, 2645.05 feet to a point on the Southerly line of said Section 19; thence North 89°58'07" East along said Southerly section line 105 feet more or less to the mean high water line of the Westerly bank of the Sprague River; thence following said high water line the meander line of which is the following courses and distances: North 02°14'38" East, 76.39 feet; North 18°18'09" East, 684.63 feet; North 25°52'24" East, 222.28 feet; North 31°42'03" East, 399.62 feet; North 56°48'35" East, 158.93 feet; North 63°03'38" East, 426.84 feet; thence leaving said mean high water mark North 28°57'55" West, 290 feet, more or less to the Southerly right-of-way line of the Sprague River-Chiloquin Highway, a county road; thence North 19°46'20" West, 588.60 feet; thence North, 40.00 feet; thence East, 493.00 feet to Easterly line of said SW $\frac{1}{4}$ of Section 19; thence North 00°15'13" West along said Easterly quarter Section line 279.97 feet to the point of beginning. EXCEPTING THEREFROM that portion of land contained within 100 foot wide right-of-way of the Sprague River-Chiloquin Highway, a county road. ALSO SAVING AND EXCEPTING: Beginning at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 19; thence North along the West boundary of the E $\frac{1}{2}$ SW $\frac{1}{4}$ of said section a distance of 1900 feet to a point; thence East parallel to the South boundary of said section a distance of 780 feet, more or less, to a point in the centerline of an existing roadway; thence Southeasterly along the centerline of said roadway a distance of 140 feet to the Southern boundary of the Chiloquin-Sprague River Highway; thence Southwesterly along said Southern boundary to its intersection with the South line of said Section 19; thence West along said South line to the point of beginning. ALSO SAVE AND EXCEPTING: Beginning at the intersection of the South line of said Section 19 and the Southeasterly boundary of the Chiloquin-Sprague River Highway; thence Northeasterly along said Southeasterly boundary a distance of 2150 feet, more or less, to the Northwest corner of a parcel of land described in Volume M81 page 21187, Deed records of Klamath County, Oregon; thence South 28°57'55" East along the Southwest boundary of said parcel a distance of 320 feet, more or less to the mean high water line of the Sprague River; thence Southwesterly along said high water line to its intersection with the South line of said Section 19; thence West along said South line to the point of beginning. SAVING AND EXCEPTING therefrom the public right of way of the Sprague River Chiloquin Highway.

ALSO SAVING AND EXCEPTING: Beginning at an aluminum cap marking the C-W 1/16 corner of said Section 19; thence South 00°18'57" East, along the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, 745.06 feet to a 5/8" Tru-Line Surveying plastic cap; thence North 89°58'07" East 756.60 feet to a 5/8" Tru-Line Surveying plastic cap; thence North 761.65 feet to a point on the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence South 88°43'06" West 760.90 feet to the point of beginning, with bearings based on recorded Survey No. 4975.

PARCEL 2: A parcel of land situated in Section 19, Township 34 South, Range 8 East of the Willamette Meridian, being more particularly described as follows:

Commencing at a 5/8 inch iron pin marking the Northeast corner of the SW $\frac{1}{4}$ of said Section 19; thence South 00°15'13" East along the Easterly boundary of said SW $\frac{1}{4}$, 279.97 feet, more or less, to the POINT OF BEGINNING for this description; thence continuing along said Easterly boundary line South 00°15'13" East 388.45 feet to the intersection of said Easterly boundary line with the Northerly line of the S $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 19; thence along said Northerly line of the S $\frac{1}{2}$ of N $\frac{1}{2}$ of SE $\frac{1}{4}$ of said Section 19 North 89°00'02" East, 256.53 feet to the intersection of said Northerly line with the Southerly right-of-way line of the Sprague River Highway; thence South 71°15'00" West along said Southerly right-of-way line, 51.45 feet; thence leaving said right-of-way line South 00°59'58" East, 375.00 feet, more or less, to the mean high water line on the Northerly side of the Sprague River; thence along said high water line the meander line of which is the following courses and distances: South 81°25'25" West 296.81 feet, more or less; South 69°49'55" West 80.95 feet, more or less; thence leaving said mean

high water line North 28°57'55" West, 290.00 feet, more or less to the said Southerly right-of-way line of Sprague River Highway; thence leaving said right-of-way line North 19°46'20" West, 588.60 feet; thence North, 40.00 feet; thence East 493.00 feet to the point of beginning, more or less.

EXCEPTING THEREFROM: That portion of land lying within the 100 foot wide right-of-way of the Sprague River Highway.

ALSO EXCEPTING THEREFROM: An 80.00 foot wide easement for roadway purposes adjacent to and parallel with the Westerly property line of the above described property between the Sprague River Highway and the Northerly bank of the Sprague River.

PARCEL 3: That portion of the S½ of the N½ of the SE¼ of Section 19, Township 34 South, Range 8 West of the Willamette Meridian, Klamath County, Oregon, lying North and West of the Sprague River. EXCEPTING THEREFROM the Westerly 256.53 feet as described in Deed recorded February 26, 1973, in Volume M73 page 1977, Microfilm records of Klamath County, Oregon, and EXCEPTING that portion lying within the right of way of Sprague River.

EXCEPTING THEREFROM that portion of land lying within the right of way of the Sprague River Highway.

ALSO EXCEPTING THEREFROM an 80.00 foot wide easement for roadway purposes adjacent to and parallel with the Westerly property line of the above described property between the Sprague River Highway and the Northerly bank of the Sprague River.

Other than by instruments recorded in the official records of each county where the above-described real property is situated, 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. 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).

2. DEFAULTS. The grantor is in default in grantor's obligations, the performance of which is secured by the trust deed. The default respects those provisions in the trust deed which authorize sale in the event of default. The default for which the election to foreclose is made is grantor's failure to pay when due the following sums:

Monthly interest-only installments of \$700.00 each, due on the 28th day of each month, unpaid from July 28, 2000 through February 28, 2001, inclusive;

Real property taxes assessed against the property as follows:

Account No. 3408-19C-100, Code 117: 1998-99 fiscal tax year, \$166.19, delinquent plus interest; 1999-2000 fiscal tax year, \$168.85, delinquent plus interest; the first two trimester payments of the 2000-2001 fiscal tax year, due plus interest;

Account No. 3408-19C-200, Code 117: 1998-99 fiscal tax year, \$664.52 delinquent plus interest; 1999-2000 fiscal tax year, \$679.24 delinquent plus interest; the first two trimester payments of the 2000-2001 fiscal tax year, due plus interest;

Account No. 3408-19C-200, Code 8: 1998-99 fiscal tax year, \$54.01 delinquent plus interest; 1999-2000 fiscal tax year, \$55.21 delinquent plus interest; the first two trimester payments of the 2000-2001 fiscal tax year, due plus interest;

Account No. 3408-19D-200, Code 8: 1998-99 fiscal tax year, \$194.15 delinquent plus interest; 1999-2000 fiscal tax year, \$198.21 delinquent plus interest; the first two trimester payments of the 2000-2001 fiscal tax year, due plus interest.

3. DECLARATION OF BALANCE DUE. By reason of said default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, such sums being the following, to-wit:

The entire unpaid principal balance of Fifty-seven Thousand, Five Hundred Sixty-three and no/100ths Dollars (\$57,563.00), together with interest thereon at the rate of fifteen percent (15%) per annum from June 23, 2000, until paid.

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

5. TIME, DATE AND PLACE OF SALE. 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 187.110 on Thursday, August 14, 2001, at the following place: the front entrance of the Klamath County Courthouse, 316 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.

6. **UNRECORDED CLAIM OF LIEN OR INTEREST.** 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

NONE

7. **RIGHT TO CURE DEFAULT.** 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. In addition to paying the sums in default or tendering the performance necessary to cure the default, such party curing the default must pay all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee and attorney fees not exceeding the amounts provided by ORS 86.753.

8. **GRAMMATICAL CHANGES IMPLIED.** As used in this notice, the masculine gender includes the feminine and the neuter, 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 15, 2001.

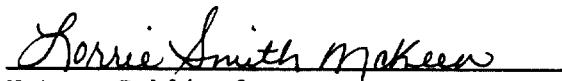


Walter L. Cauble, Trustee

STATE OF OREGON, County of Josephine) ss. March 15, 2001.

The foregoing instrument was acknowledged before me by Walter L. Cauble, as Trustee.




Notary Public for Oregon
My Commission Expires: 2/9/2004

AFTER RECORDING RETURN TO:

Walter L. Cauble
SCHULTZ, SALISBURY, CAUBLE & DOLE
P O BOX 398
GRANTS PASS, OR 97528

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

State of Oregon, County of Klamath
Recorded 03/19/01, at 1:20 P.m.
In Vol. M01 Page 10901
Linda Smith,
County Clerk Fee\$ 31-