

'02 FEB 4 PM 3:24

**RECORDING COVER SHEET  
FOR NOTICE OF SALE PROOF  
OF COMPLIANCE, PER ORS 205.234**

**THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON  
PRESENTING THE ATTACHED INSTRUMENT FOR  
RECORDING. ANY ERRORS IN THIS COVER SHEET  
DO NOT AFFECT THE TRANSACTION(S) CONTAINED  
IN THE INSTRUMENT ITSELF.**

mtc 55177

Vol M02 Page 6757

State of Oregon, County of Klamath

Recorded 02/04/2002 3:24p. m.

Vol M02, Pg 6757-6774

Linda Smith, County Clerk

Fee \$ 106<sup>00</sup> # of Pgs 18

**AFTER RECORDING RETURN TO**

**name and address of the person authorized to receive the  
instrument after recording, as required by ORS 205.180(4)  
and ORS 205.238.**

Ameritite  
P.O. Box 1609  
Roseburg OR 97470

**MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original Grantor on  
Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of  
Sale or Proof of Service will be considered a transaction.**



**AFFIDAVIT OF MAILING NOTICE OF SALE (must have trustee's notice of sale attached)**



**AFFIDAVIT OF PUBLICATION NOTICE OF SALE**



**PROOF OF SERVICE**

**Original Grantor on Trust Deed**

Abundant Harvest Farms

**Beneficiary**

## AFFIDAVIT OF MAILING

STATE OF OREGON     )  
                                   ) ss,  
 County of Douglas    )

I, Barbara L. Thomas, being first duly sworn, depose, say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original Trustee's Notice of Sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the attached Trustee's Notice of Sale by mailing an original thereof by first class and certified mail with return receipt requested to each of the parties named on the attached letter at their respective addresses.

Said parties include the grantor in the trust deed; any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice any parties 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, any party requesting notice, as required by ORS 86.785.

Each of the notices so mailed was an original notice of sale signed by the trustee; each such notice was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Roseburg, Oregon, on September 28, 2001. With respect to each party listed herein, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each notice was mailed after the notice of default and election to sell described in said notice of sale was recorded.

*Barbara L. Thomas*  
 Barbara L. Thomas, Assistant Secretary

Subscribed and sworn to before me this 28th day of September, 2001

*Kathleen A Brown*





6759

September 28, 2001

ROBERT E. AUSTIN, RESIDENT AGENT  
ABUNDANT HARVEST FARMS, INC.  
2161 W. Williams #267  
Fallon, NV 89406

ROBERT E. AUSTIN, RESIDENT AGENT  
ABUNDANT HARVEST FARMS, INC.  
5521 Churn Creek Road  
Redding, CA 96002

ABUNDANT HARVEST FARMS, INC.  
16449 Harpol Road  
Malin, OR 97632

DANIEL JAMES CASSIDY, PRESIDENT  
ABUNDANT HARVEST FARMS, INC.  
2161 W. Williams #267  
Fallon, NV 89406

CARL DOUGLAS SMEDLEY,  
SECRETARY/TREASURER  
ABUNDANT HARVEST FARMS, INC.  
2161 W. Williams #267  
Fallon, NV 89406

Attached, and mailed separately to each of you by both first class and certified mail, is an original Trustee's Notice of Sale in connection with the foreclosure of a trust deed made by ABUNDANT HARVEST FARMS, INC., a Nevada corporation in favor of KENCO INVESTMENTS, INC., a California corporation. This notice is being mailed to you pursuant to Chapter 86 of the Oregon Revised Statutes.

Please read the enclosed notice carefully and if you have any questions regarding your rights you should consult your attorney.

Sincerely,

AmeriTitle, Inc.

Barbara L. Thomas  
Assistant Secretary

BLT: jws  
Order No.: 00053552



6760

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by ABUNDANT HARVEST FARMS, INC., a Nevada corporation, as Grantor, to AmeriTitle, Inc. as Trustee in favor of KENCO INVESTMENTS, INC., a California corporation as beneficiary, dated October 11, 2000 and recorded October 13, 2000, in Volume M00 at Page 37493, beneficial interest was assigned to FRANK POZAR and ELEANOR POZAR, by Assignment recorded December 12, 2000, in Volume M00 at Page 44542, Records of Klamath County, Oregon, covering the following described real property in said county and state:

See Exhibit A attached hereto and made a part hereof.

COMMONLY KNOWN AS: 16449 Harpold Road  
Malin, OR 97632

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; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

monthly payments in the amount of \$4,000.00, due for May, 2001, through present, plus late charges, delinquent property taxes and advances by beneficiary, if any.

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 \$ 333,365.97 plus interest, accrued late charges and advances.


WHEREFORE, notice is hereby given that the undersigned trustee will on February 20, 2002, at the hour of 10:00 o'clock A.M., Pacific Time, as established by, Oregon Revised Statutes, at the offices of AmeriTitle, Inc. located at 222 South Sixth Street, in the City of Klamath, County of Klamath and State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check the interest in the said described real property which the grantor 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 grantor or his 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 Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary 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 of Oregon Revised Statutes.

In construing 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 said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated this 17<sup>th</sup> day of September, 2001

**AmeriTitle, Inc.**

By:   
Barbara L. Thomas  
Assistant Secretary

BLT: jws  
Order No.: 00053552

**Exhibit A****PARCEL 1:**

South half of Northeast quarter, North half of North half of Southeast quarter, all lying East of the Malin-Bonanza Road Section 24, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

**PARCEL 2:**

Northeast quarter of Northwest quarter, North half of Southeast quarter of Northwest quarter, Government Lot 1 and North half of Government Lot 2 of Section 30, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Court Case No.  
Sheriff's Case No. 01-02830

I hereby certify that I received for service on  
SMEDLEY, DOUGLAS CARL  
the within:

SMEDLEY, DOUGLAS CARL  
was served by leaving a true copy with  
DELANEY, PATRICK  
a person over the age of fourteen years who resides  
at the place of abode of the within named located at  
16449 HARPOLD RD  
MALIN, OR, on 10/09/01,  
at 07:38 hours.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By Terri Alexander  
ALEXANDER, TERRI L

OR 97470

6764

Court Case No.  
Sheriff's Case No. 01-02830

I hereby certify that I received for service on  
DELANEY, PATRICK  
the within:

DELANEY, PATRICK  
was served personally, and in person, at  
16449 HARPOLD RD  
MALIN, OR, on 10/09/01,  
at 07:38 hours.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

BY TERRI ALEXANDER  
ALEXANDER, TERRI L

OR 97470





6765

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by ABUNDANT HARVEST FARMS, INC., a Nevada corporation, as Grantor, to AmeriTitle, Inc. as Trustee in favor of KENCO INVESTMENTS, INC., a California corporation as beneficiary, dated October 11, 2000 and recorded October 13, 2000, in Volume M00 at Page 37493, beneficial interest was assigned to FRANK POZAR and ELEANOR POZAR, by Assignment recorded December 12, 2000, in Volume M00 at Page 44542, Records of Klamath County, Oregon, covering the following described real property in said county and state:

See Exhibit A attached hereto and made a part hereof.

COMMONLY KNOWN AS: 16449 Harpold Road  
Malin, OR 97632

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; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

monthly payments in the amount of \$4,000.00, due for May, 2001, through present, plus late charges, delinquent property taxes and advances by beneficiary, if any.

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 \$ 333,365.97 plus interest, accrued late charges and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on February 20, 2002, at the hour of 10:00 o'clock A.M., Pacific Time, as established by, Oregon Revised Statutes, at the offices of AmeriTitle, Inc. located at 222 South Sixth Street, in the City of Klamath, County of Klamath and State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check the interest in the said described real property which the grantor 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 grantor or his 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 Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary 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 of Oregon Revised Statutes.

In construing 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 said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated this 17<sup>th</sup> day of September, 2001

AmeriTitle, Inc.

By: Barbara L. Thomas

Barbara L. Thomas  
Assistant Secretary

BLT: jws

Order No.: 00053552

PARCEL 1:

South half of Northeast quarter, North half of North half of Southeast quarter, all lying East of the Malin-Bonanza Road Section 24, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2:

Northeast quarter of Northwest quarter, North half of Southeast quarter of Northwest quarter, Government Lot 1 and North half of Government Lot 2 of Section 30, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

## AFFIDAVIT OF MAILING SUBSTITUTED SERVICE NOTICE

STATE OF OREGON           )  
                                   )ss  
 County of Douglas        )

I, Barbara L. Thomas, being first duly sworn, depose, say and certify that:

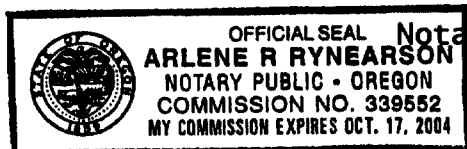
At all time hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original Trustee's Notice of Sale given under the terms of that certain trust deed described in said notice.

I gave notice of sale of the real property described in the attached Trustee's Notice of Sale by mailing an original thereof by first class mail and certified mail to each of the parties named on the attached letter at their respective addresses per the Proof of Service by Klamath County Sheriff.

Each of the notices so mailed was an original notice of sale signed by the trustee; each such notice was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Roseburg, Oregon, on October 22, 2001. With respect to each party listed herein, each notice was mailed with postage thereon sufficient for first class delivery, one such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each notice was mailed after the notice of default and election to sell described in said notice of sale was recorded.

Barbara L. Thomas  
 Barbara L. Thomas, Assistant Secretary

Subscribed and sworn to before me this 22nd day of October, 2001.



Arlene R. Rynearson  
 Notary Public for Oregon



6769

October 22, 2001

CARL DOUGLAS SMEDLEY  
SECRETARY/TREASURER  
ABUNDANT HARVEST FARMS, INC.  
2161 W. Williams #267  
Fallon, NV 89406

IN MATTER OF POZAR VS. ABUNDANT HARVEST FARMS, INC.

Attached, and mailed separately to each of you by both first class and certified mail, is an original Trustee's Notice of Sale and Proof of Substituted Service which you were served with on October 9, 2001 at 7:38 hours in connection with the foreclosure of a trust deed made by ABUNDANT HARVEST FARMS, INC., a Nevada corporation in favor of KENCO INVESTMENTS, INC., a California corporation. This notice is being mailed to you pursuant to Chapter 86 of the Oregon Revised Statutes.

Please read the enclosed notice carefully and if you have any questions regarding your rights you should consult your attorney.

Sincerely,

AmeriTitle, Inc.

Barbara L. Thomas  
Assistant Secretary

BLT: jws  
Order No.: 00053552

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 01-02830

Received for Service 09/26/01

I hereby certify that I received for service on  
SMEDLEY, DOUGLAS CARL  
the within:

TRUSTEE'S NOTICE OF SALE

SMEDLEY, DOUGLAS CARL  
was served by leaving a true copy with  
DELANEY, PATRICK  
a person over the age of fourteen years who resides  
at the place of abode of the within named located at  
16449 HARPOLD RD  
MALIN , OR, on 10/09/01,  
at 07:38 hours.

All search and service was made within Klamath County, State of  
Oregon.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By   
ALEXANDER, TERRI L

Copy to:

AMERITITLE-ROSEBURG  
P.O. BOX 1609  
ROSEBURG

OR 97470

6771

Court Case No.  
Sheriff's Case No. 01-02830

I hereby certify that I received for service on  
DELANEY, PATRICK  
the within:

DELANEY, PATRICK  
was served personally, and in person, at  
16449 HARPOLD RD  
MALIN, OR, on 10/09/01,  
at 07:38 hours.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

BY Terri Alexander  
ALEXANDER, TERRI L

OR 97470



6772

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by ABUNDANT HARVEST FARMS, INC., a Nevada corporation, as Grantor, to **AmeriTitle, Inc.** as Trustee in favor of KENCO INVESTMENTS, INC., a California corporation as beneficiary, dated October 11, 2000 and recorded October 13, 2000, in Volume M00 at Page 37493, beneficial interest was assigned to FRANK POZAR and ELEANOR POZAR, by Assignment recorded December 12, 2000, in Volume M00 at Page 44542, Records of **Klamath** County, Oregon, covering the following described real property in said county and state:

See Exhibit A attached hereto and made a part hereof.

COMMONLY KNOWN AS: 16449 Harpold Road  
Malin, OR 97632

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; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

monthly payments in the amount of \$4,000.00, due for May, 2001, through present, plus late charges, delinquent property taxes and advances by beneficiary, if any.

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 \$ 333,365.97 plus interest, accrued late charges and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on February 20, 2002, at the hour of 10:00 o'clock A.M., Pacific Time, as established by, Oregon Revised Statutes, at the offices of AmeriTitle, Inc. located at 222 South Sixth Street, in the City of Klamath, County of **Klamath** and State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check the interest in the said described real property which the grantor 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 grantor or his 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 Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary 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 of Oregon Revised Statutes.



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In construing 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 said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated this 17<sup>th</sup> day of September, 2001

AmeriTitle, Inc.

By:   
Barbara L. Thomas  
Assistant Secretary

BLT: jws  
Order No.: 00053552

PARCEL 1:

South half of Northeast quarter, North half of North half of Southeast quarter, all lying East of the Malin-Bonanza Road Section 24, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2:

Northeast quarter of Northwest quarter, North half of Southeast quarter of Northwest quarter, Government Lot 1 and North half of Government Lot 2 of Section 30, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.