

**STATE OF OREGON,  
 COUNTY OF KLAMATH**

I, Larry L. Wells, Business Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state: that the

Legal # 4542

Notice of Sale/Burks vs Abundant Harvest

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 4 )

Four

Insertion(s) in the following issues:  
January 9, 16, 23, 30, 2002

Total Cost: \$999.00

Larry L. Wells  
 Subscribed and sworn

before me on: January 30, 2002

Debra A. Gribble  
 Notary Public of Oregon

My commission expires March 15, 2004

**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 BARNEY BURKS & EULA B. BURKS, Trustees of THE BARRY H. BURKS IRREVOCABLE TRUST dated September 30, 1988, as to an undivided 40% interest and WAYNE K. BURKS & KAY E. BURKS, Trustees of THE WAYNE K. BURKS and KAY E. BURKS LIVING TRUST dated February 11, 1993, as to an undivided 60% interest as beneficiary, dated January 11, 2001 and recorded January 22, 2001, in Volume M01 at Page 2579, Records of Klamath County, Oregon, and Re-Recorded January 25, 2001 in Volume M01 at Page 3041, covering the following described real property in said county and state: See Exhibit "A" attached hereto and made a part hereof.

**Exhibit "A"**

**Legal Description**  
 All of Government Lot 2, Section 3, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM that portion conveyed by instrument recorded July 8, 1940 in Volume 130, page 306, Deed Records of Klamath County, Oregon, more particularly described as follows:

A parcel of land lying in the NE 1/4 NE 1/4 of Section 3, Township 41 South,

Range 10 East of the Willamette Meridian, Klamath County, Oregon, and being a portion of that tract of land which was conveyed by that certain deed from Sheriff to Klamath County, recorded in Book 76, pages 208-210, Klamath County Record of Deeds; the said parcel being described as follows: Beginning at a point on the East line of said Section 3, which point is on the Northeasterly right of way line of the Dalles-California Highway, said point being 30.0 feet distant from land measured at right angles to the center line of said highway, at Engineer's Station 45+20.9; said point also being 691.7 feet South of the Northeast corner of said Section 3, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence North 00 degrees 23' East along the Easterly line of said tract, a distance of 362.5 feet; thence North 79 degrees 12' West a distance of 471.5 feet to a point on the Northeasterly right of way line of the Dalles-California Highway; thence Southeasterly along the said Northeasterly right of way line on a 1940.0 foot radius curve (whose long chord bears South 46 degrees 01' 30" East 616.4 feet) a distance of 629.2 feet; thence South 36 degrees 44' East along said highway right of way line a distance of 28.5 feet to the point of beginning.

AND EXCEPTING THEREFROM those portions thereof described in

Deeds to the United States of America recorded November 16, 1908, June 15, 1914, and August 12, 1936 in Volume 24 Page 615, Volume 42 Page 250, and Volume 256 Page 219, respectively.

AND EXCEPTING THEREFROM that portion thereof described in Deed to Klamath County recorded September 3, 1922 in Volume 59 Page 164.

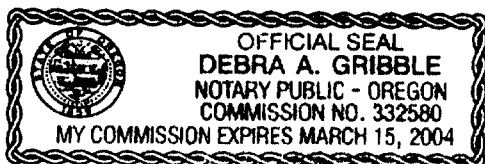
AND EXCEPTING THEREFROM that portion lying within the right of way of the Dalles-California Highway.

COMMONLY KNOWN AS: 20700 Hwy 39, Merrill, OR 97633.

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 \$3,500.00, due for June, 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 \$246,969.90 plus interest, accrued late charges and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on March 14, 2002, at



the hour of 10:00 AM, 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 Falls, 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 tender-

ing 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 15th day of October, 2001.

**AmeriTitle, Inc. By:**

Barbara L. Thomas,  
Assistant Secretary.  
For further information regarding this foreclosure, please contact Barbara L. Thomas at (541) 672-6651.

#4542 January 9, 16, 23, 30, 2002.