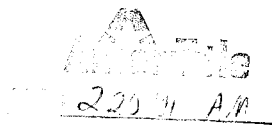


AmeriTitle
Returned at Counter



2018-008113
Klamath County, Oregon



07/06/2018 03:53:54 PM

Fee: \$387.00

RECORDING COVER SHEET

Pursuant to ORS 205.234

After recording return to:
Carole E. Brock
Lane Powell PC
601 SW Second Avenue, Suite 2100
Portland, OR 97204

TITLE OF THE TRANSACTION: Affidavits re Non-Judicial Foreclosure

DIRECT PARTY/GRANTORS: Malin Potato Cooperative, Inc., 415 N. Main Street and 421 E. 4th Street, Merrill, OR 97633

INDIRECT PARTY/BENEFICIARY: Washington Federal, 1500 Cornwall, Bellingham, WA 98225

ORIGINAL TRUSTEE: AmeriTitle, 300 Klamath Avenue, Klamath Falls, OR 97601

SUCCESSOR TRUSTEE: David W. Criswell, 601 SW Second Avenue, Suite 2100, Portland, OR 97204

1. Affidavit of Mailing Trustee's Notice of Sale with (i) Trustee's Notice of Sale and (ii) Notice of Default and Election to Sell attached.
2. Affidavit of Service on "Occupant" by posting vacant building #7 (Parcel 8200) at 4th Street, Merrill, OR 97633.
3. Affidavit of Service on "Occupant" by posting vacant building #6 (Parcel 8100) at 4th Street, Merrill, OR 97633.
4. Affidavit of Service on "Occupant" by posting vacant building #5 (parcel 701B) at 4th Street, Merrill, OR 97633.
5. Affidavit of Service on "Occupant" by posting vacant building #4 (Parcel 701A) at 4th Street, Merrill, OR 97633.
6. Affidavit of Service on "Occupant" by posting vacant building #3 (Parcel 7500) at 4th Street, Merrill, OR 97633.
7. Affidavit of Service on "Occupant" by posting vacant building #2 (Parcel 700) at 4th and Main Streets, Merrill, OR 97633.
8. Affidavit of Service on "Occupant" by posting vacant building #1 (Parcel 7300) at 415 North Main Street, Merrill, OR 97633.
9. Affidavit of Publication.
10. Affidavit of Filing Foreclosure Avoidance Measure Notice with the Attorney General of Oregon.

Trust Deed Recording Information: Dated October 15, 2014, and recorded on October 22, 2014, as instrument number 2014-011069, in the Official Records of Klamath County, State of Oregon.

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

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON)
) ss.
County of Multnomah)

I, Megan Holley, being first duly sworn, do depose and state:

1. I am now, and at all times relevant herein, have been a citizen of the United States, and a resident of the State of Oregon. I am a competent person over the age of 18, and am neither the beneficiary, nor the beneficiary's successor in interest, of that certain Line of Credit Instrument/Line of Credit Deed of Trust dated October 15, 2014, and recorded on October 22, 2014, as instrument number 2014-011069, in the real property records of Klamath County, Oregon, wherein MALIN POTATO COOPERATIVE, INC., an Oregon cooperative corporation, is the **Grantor**, AMERITITLE is the original **Trustee**, and WASHINGTON FEDERAL is the **Beneficiary** (the "Trust Deed"), which is being foreclosed. I am an agent of the Successor Trustee of the aforementioned Trust Deed and my business address is 601 SW Second Avenue, Suite 2100, Portland, Oregon 97204.

2. On March 28, 2018, I gave notice of default under the terms of the Trust Deed identified in the attached Trustee's Notice of Sale by mailing a copy thereof by both first class and certified mail, return receipt requested, to each of the following persons (or entities) at all of the addresses on file with the Successor Trustee:

Malin Potato Cooperative, Inc.
415 N. Main Street
Merrill, OR 97633

Carleton Farms, LLC
c/o Aspell, Henderson & Associates, LLC,
Registered Agent
122 S 5th Street
Klamath Falls, OR 97601

Malin Potato Cooperative, Inc.
421 E. 4th Street
Merrill, OR 97633

Carleton Farms LLC
c/o Advanced CFO, Receiver
13601 W. McMillan Rd #102
PMB 320
Boise, ID 83713
Attn: Matt McKinley

Malin Potato Cooperative, Inc.
215 N. Main Street
Merrill, OR 97633

H & T Organics, LLC
c/o Jennifer Lynn Hartman, Registered Agent
33001 Rajnus Road
Malin, OR 97632

Malin Potato Cooperative, Inc.
400 Main Street
Merrill, OR 97633

Malin Potato Cooperative, Inc.
c/o David A. Cacka, Registered Agent
421 E. 4th Street
Merrill, OR 97633

Malin Potato Cooperative, Inc.
P.O. Box 400
Merrill, OR 97633

Malin Potato Cooperative, Inc.
c/o Loren Kandra, President
23195 Hwy 50
Merrill, OR 97633

Malin Potato Cooperative, Inc.
c/o John Greene, Secretary
9733 Homedale Road
Klamath Falls, OR 97603

Bair Farms, LLC
8728 Spring Lake Road
Klamath Falls, OR 97603

Bair Farms, LLC
Paul Bair
Ed Bair
c/o Mika N. Blain
Blain Law, LLC
422 Main Street, Suite 201
Klamath Falls, OR 97601

John Parrish
34568 Highway 50
Malin, OR 97632

Kandra Five Farm LLC
c/o Loren Kandra, Registered Agent
23195 Hwy 50
Merrill, OR 97633

John Parrish
3037 Clearbrook Place
Malin OR 97632

Cal-Ore Seed, Inc.
Mark A. Campbell, Registered Agent
1691 Cross Road
Klamath Falls, OR 97603

Downey Brand LLP
Attn: Jamie P. Dreher
621 Capitol Mall, 18th Floor
Sacramento, CA 95814

Mark A. Campbell
19548 Yosemite Blvd.
Waterford, CA 95386

City of Merrill, City Attorney
Attn: Mika Blain
1151 Pine Street
Klamath Falls, OR 97603

Klamath County Assessor
Attn: Nathan Bigby
305 Main Street
Klamath Falls, OR 97601

Cal-Ore Seed, Inc.
19548 Yosemite Blvd.
Waterford, CA 95386

Bair Farms, LLC
c/o Mika Blain, Registered Agent
1151 Pine Street
Klamath Falls, OR 97603

State of Oregon Department of Revenue
955 Center St., NE
Salem, OR 97301-2555

B-T Healthy Farms, LLC
c/o Lon Baley, Registered Agent
1459 Depot Road
Malin, OR 97632

State of Oregon Department of Revenue
PTAC, Collections
PO BOX 14725
Salem, OR 97309-5018

Carleton Farms
530 N. Main
Merrill, OR 97633
Attn: Jim Carleton and Greg Carleton

IRS Advisory Group
915 2nd Ave, MS W245
Seattle, WA 98174

IRS Advisory Group
4041 N. Central Avenue, Suite 112
MS 5021PHX
Phoenix, AZ 85012

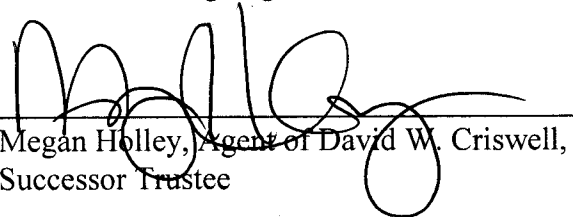
Said persons include (a) the Grantors of the Trust Deed, (b) any successor in interest to the Grantors whose interest appears of record, (c) any person having a lien or interest subsequent to the Trust Deed, and (d) any person requesting notice, as required under ORS 86.785.

3. Each of the notices so mailed was enclosed with a copy of the attached Notice of Default and Election to Sell. Each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by persons acting under my direction in the United States mail. Each of the said notices was mailed after the Notice of Default and Election to Sell was recorded on March 12, 2018.

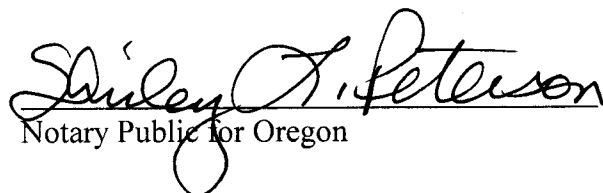
4. The Trust Deed is not a "Residential Trust Deed", as defined in ORS 86.705(6), thus the requirements of Chapter 304 [S.B. 558], Oregon Laws 2013, Chapter 112 [S.B. 1552], Section 4a, Oregon Laws 2012, and ORS 86.771(10) do not apply.

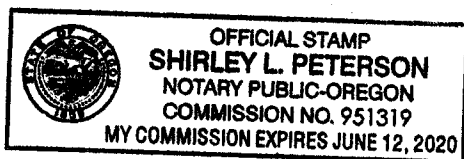
5. To the best of my knowledge, the Borrower is not now nor was at the time of the recording of the Notice of Default in the military service of the United States; nor is the Borrower a legally mentally incapacitated person; nor is the Borrower under 18 years of age.

6. The foregoing is true and correct to the best of my knowledge, information and belief.


Megan Holley, Agent of David W. Criswell,
Successor Trustee

The foregoing instrument was acknowledged before me on April 20 2018, by Megan Holley.


Notary Public for Oregon



TRUSTEE'S NOTICE OF SALE

PLEASE TAKE NOTICE that the foregoing instrument shall constitute notice, pursuant to ORS 86.764, that the Grantor of the Trust Deed described below has defaulted on its obligations to beneficiary, and that the Beneficiary and Successor Trustee under the Trust Deed have elected to sell the property secured by the Trust Deed:

DEED OF TRUST AND PROPERTY DESCRIPTION:

This instrument makes reference to that certain Line of Credit Instrument/Line of Credit Deed of Trust ("Deed of Trust") dated October 15, 2014, and recorded on October 22, 2014, as instrument number 2014-011069, in the real property records of Klamath County, Oregon, wherein MALIN POTATO COOPERATIVE, INC., an Oregon cooperative corporation, is the Grantor, AMERITITLE is the original Trustee, and WASHINGTON FEDERAL is the Beneficiary (the "Deed of Trust"). The aforementioned Deed of Trust covers property (the "Property") described as:

PARCEL A:

All of Lots 1 and 8, Block 4 and those portions of Lots 2 and 7, Block 4 of the ORIGINAL TOWN OF MERRILL, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, together with a portion of the alley in said Block 4, lying Northerly of a line drawn parallel with and distant 8.5 feet Northerly, as measured at right angles from the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) most Northerly spur tract centerline, as now located and constructed upon, over and across said Block 4, bounded on the North by the South line of Fourth Street, bounded on the West by the East line of Main Street, and bounded on the East by the centerline of vacated Washington Street, all according to the recorded plat of the Original Town of Merrill, Oregon.

PARCEL B:

That portion of the Burlington Northern and Sante Fe Railway Company's (formerly Great Northern Railway Company) Station Ground Property as Merrill, Oregon being of variable widths on each side of Said Railway Company's Main Tract centerline as now located and constructed upon, over and across the SW1/4 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon lying between the South line of Fourth Street, according to the recorded plat of

MERRILL thereof, and line drawn parallel with and distant 105.0 feet Southerly of, as measured at right angles from said South line of Fourth Street, and bounded between two lines drawn parallel with and distant, respectively, 560.0 feet and 710.00 feet Easterly of the East line of Main Street, according to said recorded plat thereof, as measured along said South line of Fourth Street.

PARCEL C:

That portion of the N1/2 SE1/4 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying Northerly of a line drawn parallel with and distant 50.0 feet Northerly as measured at right angles from the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) Main Tract centerline as now located and constructed upon, over and across said Section 1, and lying Westerly of a line drawn parallel with the distant 450.0 feet Easterly, as measured at right angles from the West line of said N1/2 SE1/4 SW1/4.

PARCEL D:

Parcel 2 of Land Partition 16-14, situated in the N1/2 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, recorded September 18, 2014 in Volume 2014-009711, Microfilm Records of Klamath County, Oregon.

The undersigned hereby certifies that he has no knowledge of any assignments of the Deed of Trust by the Trustee or by the Beneficiary or any appointments of a Successor Trustee other than the appointment of DAVID W. CRISWELL, as Successor Trustee as recorded in the property records of the county in which the Property described above is situated. Further, the undersigned certifies that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the Deed of Trust. Or, if such action has been instituted, it has been dismissed except as permitted by ORS 86.752(7).

The name and address of the Successor Trustee are as follows:

David W. Criswell
Successor Trustee
Lane Powell PC
601 SW Second Avenue, Suite 2100
Portland, OR 97204

The Deed of Trust is not a "Residential Trust Deed", as defined in ORS 86.705(6), thus the requirements of Chapter 304 [S.B. 558], Oregon Laws 2013, Chapter 112 [S.B. 1552], Section 4a, Oregon Laws 2012, and ORS 86.771(10) do not apply.

DEFAULT BY GRANTOR:

There are continuing and uncured defaults by Malin Potato Cooperative, Inc. (the "Grantor") that, based on the provisions of the Deed of Trust and the loan documents executed in favor of Washington Federal ("Beneficiary") for Loan No. 4512877, including the promissory note dated and effective as of October 15, 2014 ("Note"), authorize the foreclosure of the Deed of Trust and the sale of the Property described above, which uncured and continuing defaults include but are not necessarily limited to the following:

1. Grantor's failure to pay to Beneficiary, when and in the full amounts due, monthly installments as set forth on the Note secured by said Deed of Trust. Monthly installments in the amount of \$48,460.31 include principal and interest. The Grantor failed to make payments on this loan due on January 1, 2018 and February 1, 2018, and has advised that Grantor has ceased business operations and will not be making any further payments to the Beneficiary. Late charges and EZ cancellation charges through and including February 23, 2018 total \$5,346.04. Interest due as of (i.e., through and including) February 23, 2018 is in the amount of \$69,711.86 and continues to accrue at the rate of four and 95/100 percent (4.95%) per annum or \$784.68 per diem. ALL AMOUNTS are now due and payable along with all costs and fees associated with this foreclosure.

2. Grantor also failed to pay real property taxes due to Klamath County, Oregon for 2015-2016, 2016-2017, and 2017-2018, which created liens which primed and were senior to the lien of the Deed of Trust. Beneficiary made a protective advance on Grantor's behalf to Klamath County, Oregon on February 23, 2018 in the amount of \$249,746.39 to pay in full all delinquent taxes on the Property for tax years 2015-2016, 2016-2017, and 2017-2018. Grantor is obligated under the Deed of Trust to pay Lender \$249,746.39 plus interest at the rate of four and 95/100 percent (4.95%) per annum from and after February 23, 2018 on account of such protective advance.

TOTAL UNCURED MONETARY (PAYMENT) DEFAULT:

By reason of said uncured and continuing defaults, the Beneficiary has accelerated and declared all sums owing on the obligation secured by the Deed of Trust and the Property immediately due and payable. The sums due and payable being the following:

Unpaid principal amount due and owing under the Note as of February 23, 2018:	\$5,457,006.77 ¹
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¹ Balance prior to the addition of the 2/23/18 protective advance for taxes.

Unpaid interest owing under the Note as of February 23, 2018:	\$69,711.86
Late charges and EZ cancellation charge to February 23, 2018:	\$5,346.04
Protective Advance for Real Property Taxes as of February 23, 2018:	\$249,746.39
TOTAL DUE:	\$5,781,811.06

Accordingly, the sum owing on the obligation secured by the Deed of Trust is \$5,781,811.06, as of February 23, 2018, together with interest accruing on the principal portion of that amount, plus additional costs and expenses incurred by Beneficiary and/or the Successor Trustee (including their respective attorney's fees, costs, and expenses).

ELECTION TO SELL:

Notice is hereby given that the Beneficiary, by reason of the uncured and continuing defaults described above, has elected and does hereby elect to foreclose said Deed of Trust by advertisement and sale pursuant to ORS 86.752 *et seq.*, and to cause to be sold at public auction to the highest bidder for cash, the Grantor's interest in the subject Property, which the Grantor had, or had the power to convey, at the time the Grantor executed the Deed of Trust in favor of the Beneficiary, along with any interest the Grantor or the Grantor's successors in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust as well as the expenses of the sale, including compensation of the Trustee as provided by law, and the reasonable fees of Trustee's attorneys.

PLEASE TAKE NOTICE that the sale will be held at the hour of 11:00 a.m., in accordance with the standard of time established by ORS 187.110, on July 30, 2018, on the front steps of the main entrance to the Klamath County Courthouse, at 316 Main Street, Klamath Falls, Oregon 97601.

RIGHT OF REINSTATEMENT:

Notice is further given that any person named in ORS 86.778 has the right, at any time prior to five (5) days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Deed of Trust satisfied by (A) 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, together with the costs and expenses actually incurred in enforcing the terms of the obligation, as well as Successor Trustee and attorney fees as prescribed by ORS 86.778); and (B) by curing all such other continuing and uncured defaults as noted in this Notice.

NOTICE REQUIRED UNDER ORS 86.771(9):

Without limiting the Successor Trustee's disclaimer of representations or warranties, Oregon law requires the Successor Trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's sale.

DATED: March 21, 2018.

By: DW

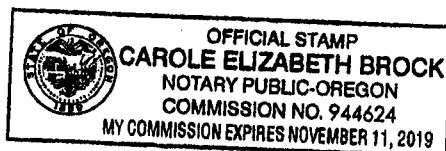
David W. Criswell, OSB 925930
Successor Trustee
Lane Powell PC
601 SW Second Avenue, Suite 2100
Portland, OR 97204
Telephone: (503) 778-2100
Facsimile: (503) 778-2200
Email: CriswellD@LanePowell.com

STATE OF OREGON)

) ss.

County of Multnomah)

On March 21, 2018, the above named David W. Criswell personally appeared before me and acknowledged the foregoing instrument to be his voluntary act and deed.



Ch E. Brock
Notary Public for Oregon

My Commission Expires: 11/11/2019

2018-002694

Klamath County, Oregon

03/12/2018 02:49:01 PM

Fee: \$62.00



AFTER RECORDING PLEASE
RETURN TO:

David W. Criswell
Lane Powell PC
601 SW Second Avenue, Suite 2100
Portland, OR 97204
(503) 778-2100

NOTICE OF DEFAULT AND ELECTION TO SELL

DEED OF TRUST AND PROPERTY DESCRIPTION:

This instrument makes reference to that certain Line of Credit Instrument/Line of Credit Deed of Trust ("Deed of Trust") dated October 15, 2014, and recorded on October 22, 2014, as instrument number 2014-011069, in the real property records of Klamath County, Oregon, wherein MALIN POTATO COOPERATIVE, INC., an Oregon cooperative corporation, is the Grantor, AMERITITLE is the original Trustee, and WASHINGTON FEDERAL is the Beneficiary (the "Deed of Trust"). The aforementioned Deed of Trust covers property (the "Property") described as:

PARCEL A:

All of Lots 1 and 8, Block 4 and those portions of Lots 2 and 7, Block 4 of the ORIGINAL TOWN OF MERRILL, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, together with a portion of the alley in said Block 4, lying Northerly of a line drawn parallel with and distant 8.5 feet Northerly, as measured at right angles from the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) most Northerly spur tract centerline, as now located and constructed upon, over and across said Block 4, bounded on the North by the South line of Fourth Street, bounded on the West by the East line of Main Street, and

6244

bounded on the East by the centerline of vacated Washington Street, all according to the recorded plat of the Original Town of Merrill, Oregon.

PARCEL B:

That portion of the Burlington Northern and Sante Fe Railway Company's (formerly Great Northern Railway Company) Station Ground Property as Merrill, Oregon being of variable widths on each side of Said Railway Company's Main Tract centerline as now located and constructed upon, over and across the SW1/4 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon lying between the South line of Fourth Street, according to the recorded plat of MERRILL thereof, and line drawn parallel with and distant 105.0 feet Southerly of, as measured at right angles from said South line of Fourth Street, and bounded between two lines drawn parallel with and distant, respectively, 560.0 feet and 710.00 feet Easterly of the East line of Main Street, according to said recorded plat thereof, as measured along said South line of Fourth Street.

PARCEL C:

That portion of the N1/2 SE1/4 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying Northerly of a line drawn parallel with and distant 50.0 feet Northerly as measured at right angles from the Burlington Northern and Sante Fe Railway Company's (formerly Great Northern Railway Company) Main Tract centerline as now located and constructed upon, over and across said Section 1, and lying Westerly of a line drawn parallel with the distant 450.0 feet Easterly, as measured at right angles from the West line of said N1/2 SE1/4 SW1/4.

PARCEL D:

Parcel 2 of Land Partition 16-14, situated in the N1/2 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, recorded September 18, 2014 in Volume 2014-009711, Microfilm Records of Klamath County, Oregon.

The undersigned hereby certifies that he has no knowledge of any assignments of the Deed of Trust by the Trustee or by the Beneficiary or any appointments of a Successor Trustee other than the appointment of DAVID W. CRISWELL, as Successor Trustee as recorded in the

property records of the county in which the Property described above is situated. Further, the undersigned certifies that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the Deed of Trust. Or, if such action has been instituted, it has been dismissed except as permitted by ORS 86.752(7).

The name and address of the Successor Trustee are as follows:

David W. Criswell
Successor Trustee
Lane Powell PC
601 SW Second Avenue, Suite 2100
Portland, OR 97204

The Deed of Trust is not a "Residential Trust Deed", as defined in ORS 86.705(6), thus the requirements of Chapter 304 [S.B. 558], Oregon Laws 2013, Chapter 112 [S.B. 1552], Section 4a, Oregon Laws 2012, and ORS 86.771(10) do not apply.

DEFAULT BY GRANTOR:

There are continuing and uncured defaults by Malin Potato Cooperative, Inc. (the "Grantor") that, based on the provisions of the Deed of Trust and the loan documents executed in favor of Washington Federal ("Beneficiary") for Loan No. 4512877, including the promissory note dated and effective as of October 15, 2014 ("Note"), authorize the foreclosure of the Deed of Trust and the sale of the Property described above, which uncured and continuing defaults include but are not necessarily limited to the following:

1. Grantor's failure to pay to Beneficiary, when and in the full amounts due, monthly installments as set forth on the Note secured by said Deed of Trust. Monthly installments in the amount of \$48,460.31 include principal and interest. The Grantor failed to make payments on this loan due on January 1, 2018 and February 1, 2018, and has advised that Grantor has ceased business operations and will not be making any further payments to the Beneficiary. Late charges and EZ cancellation charges through and including February 23, 2018 total \$5,346.04. Interest due as of (i.e., through and including) February 23, 2018 is in the amount of \$69,711.86 and continues to accrue at the rate of four and 95/100 percent (4.95%) per annum or \$784.68 per diem. ALL AMOUNTS are now due and payable along with all costs and fees associated with this foreclosure.

2. Grantor also failed to pay real property taxes due to Klamath County, Oregon for 2015-2016, 2016-2017, and 2017-2018, which created liens which primed and were senior to the lien of the Deed of Trust. Beneficiary made a protective advance on Grantor's behalf to Klamath County, Oregon on February 23, 2018 in the amount of \$249,746.39 to pay in full all delinquent taxes on the Property for tax years 2015-2016, 2016-2017, and 2017-2018. Grantor is obligated under the Deed of Trust to pay Lender \$249,746.39 plus interest at the rate of four and 95/100 percent (4.95%) per annum from and after February 23, 2018 on account of such protective advance.

TOTAL UNCURED MONETARY (PAYMENT) DEFAULT:

By reason of said uncured and continuing defaults, the Beneficiary has accelerated and declared all sums owing on the obligation secured by the Deed of Trust and the Property immediately due and payable. The sums due and payable being the following:

Unpaid principal amount due and owing under the Note as of February 23, 2018:	\$5,457,006.77 ¹
Unpaid interest owing under the Note as of February 23, 2018:	\$69,711.86
Late charges and EZ cancellation charge to February 23, 2018:	\$5,346.04
Protective Advance for Real Property Taxes as of February 23, 2018:	\$249,746.39
TOTAL DUE:	\$5,781,811.06

Accordingly, the sum owing on the obligation secured by the Deed of Trust is \$5,781,811.06, as of February 23, 2018, together with interest accruing on the principal portion of that amount, plus additional costs and expenses incurred by Beneficiary and/or the Successor Trustee (including their respective attorney's fees, costs, and expenses).

ELECTION TO SELL:

Notice is hereby given that the Beneficiary, by reason of the uncured and continuing defaults described above, has elected and does hereby elect to foreclose said Deed of Trust by advertisement and sale pursuant to ORS 86.752 *et seq.*, and to cause to be sold at public auction to the highest bidder for cash, the Grantor's interest in the subject Property, which the Grantor had, or had the power to convey, at the time the Grantor executed the Deed of Trust in favor of the Beneficiary, along with any interest the Grantor or the Grantor's successors in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust as well as the expenses of the sale, including compensation of the Trustee as provided by law, and the reasonable fees of Trustee's attorneys.

PLEASE TAKE NOTICE that the sale will be held at the hour of 11:00 a.m., in accordance with the standard of time established by ORS 187.110, on July 30, 2018, on the front steps of the main entrance to the Klamath County Courthouse, at 316 Main Street, Klamath Falls, Oregon 97601.

¹ Balance prior to the addition of the 2/23/18 protective advance for taxes.

RIGHT OF REINSTATEMENT:

Notice is further given that any person named in ORS 86.778 has the right, at any time prior to five (5) days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Deed of Trust satisfied by (A) 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, together with the costs and expenses actually incurred in enforcing the terms of the obligation, as well as Successor Trustee and attorney fees as prescribed by ORS 86.778); and (B) by curing all such other continuing and uncured defaults as noted in this Notice.

NOTICE REQUIRED UNDER ORS 86.771(9):

Without limiting the Successor Trustee's disclaimer of representations or warranties, Oregon law requires the Successor Trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's sale.

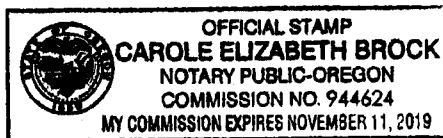
DATED: March 9, 2018.

By: _____

D W Criswell
David W. Criswell, OSB 925930
Successor Trustee
Lane Powell PC
601 SW Second Avenue, Suite 2100
Portland, OR 97204
Telephone: (503) 778-2100
Facsimile: (503) 778-2200
Email: CriswellD@LanePowell.com

STATE OF OREGON)
) ss.
County of Multnomah)

On March 9, 2018, the above named David W. Criswell personally appeared before me and acknowledged the foregoing instrument to be his voluntary act and deed.



Ch S A
Notary Public for Oregon
My Commission Expires: 11/11/2019

AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:
WASHINGTON FEDERAL

vs.

Grantor:
MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL
8200, 4TH STREET, MERRILL, OR 97633.**

I, Gary Clayton, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:53 pm, I:**

COMPLETED SERVICE pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF
DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE** upon the
individuals and/or entities named below by delivering a copy of the aforementioned documents upon an
OCCUPANT at the following address:

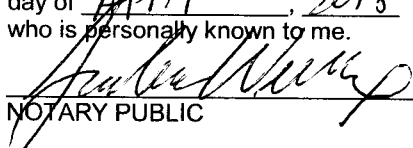
4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

I attempted personal service at the Property Address on **3/30/2018 at 4:53 pm**. Being unable to personally
serve an occupant I **POSTED** the above mentioned documents in a conspicuous location on the property.

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of
service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or
otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

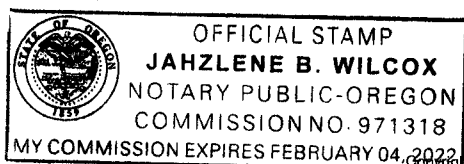
Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.


NOTARY PUBLIC


Gary Clayton
Process Server

**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000432



AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL
8200, 4TH STREET, MERRILL, OR 97633.**

I, Carl White, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:53 pm, I:**

SERVICE WAS COMPLETED pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE;
NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE
NOTICE** upon the individuals and/or entities named below by delivering a copy of the aforementioned
documents upon an **OCCUPANT** at the following address:

4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

At least two days after the first attempt and posting on **April 2, 2018 at 5:09 pm**, I returned to the Property
Address and again was unable to make personal service upon an occupant and did a **SECOND
POSTING.**

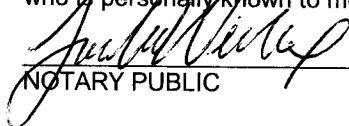
At least two days later on **April 5, 2018 at 7:45 pm**, I returned to the Property Address and again was
unable to make personal service upon an occupant and did a **THIRD POSTING.**

AFFIDAVIT OF SERVICE For 2018-002694

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.

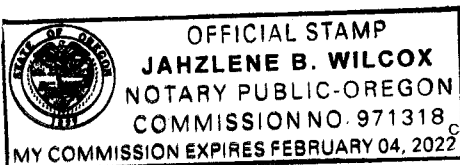

NOTARY PUBLIC

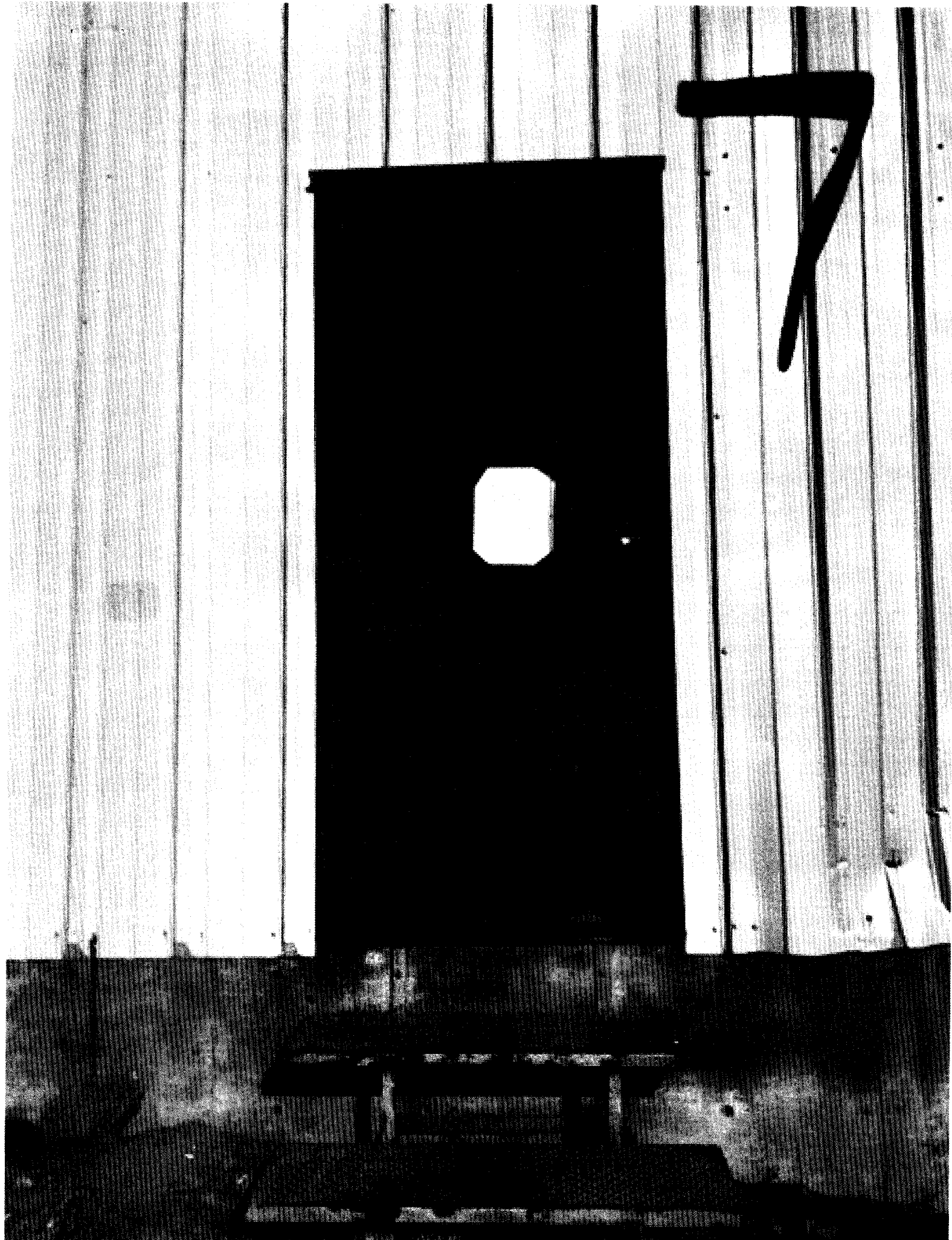


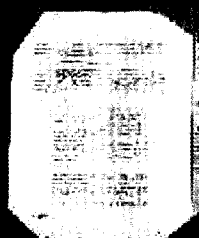
Carl White

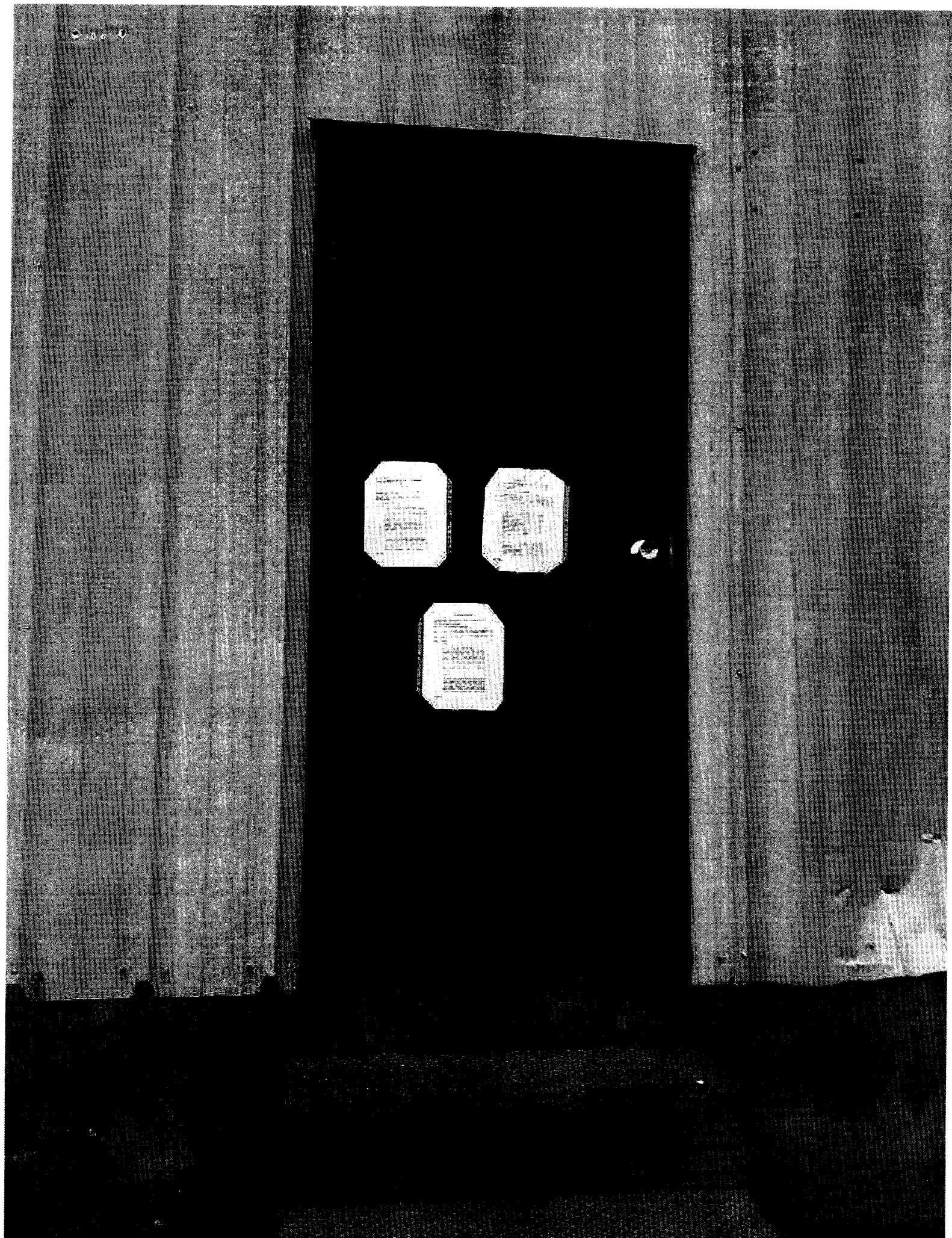
**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000432









AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL
8100, 4TH STREET, MERRILL, OR 97633.**

I, Gary Clayton, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:51 pm, I:**

COMPLETED SERVICE pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF
DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE** upon the
individuals and/or entities named below by delivering a copy of the aforementioned documents upon an
OCCUPANT at the following address:

4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

I attempted personal service at the Property Address on **3/30/2018 at 4:51 pm**. Being unable to personally
serve an occupant I **POSTED** the above mentioned documents in a conspicuous location on the property.

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of
service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or
otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

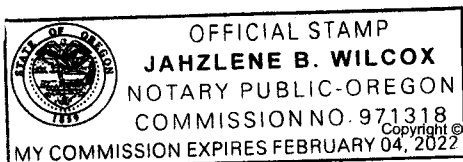
Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.


NOTARY PUBLIC


Gary Clayton
Process Server

**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000431



AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL 8100, 4TH STREET, MERRILL, OR 97633.**

I, Carl White, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:51 pm, I:**

SERVICE WAS COMPLETED pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE** upon the individuals and/or entities named below by delivering a copy of the aforementioned documents upon an **OCCUPANT** at the following address:

4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

At least two days after the first attempt and posting on **April 2, 2018 at 5:09 pm**, I returned to the Property Address and again was unable to make personal service upon an occupant and did a **SECOND POSTING.**

At least two days later on **April 5, 2018 at 7:43 pm**, I returned to the Property Address and again was unable to make personal service upon an occupant and did a **THIRD POSTING.**

AFFIDAVIT OF SERVICE For 2018-002694

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

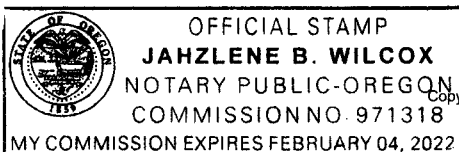
Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.

Jahzlene B. Wilcox
NOTARY PUBLIC

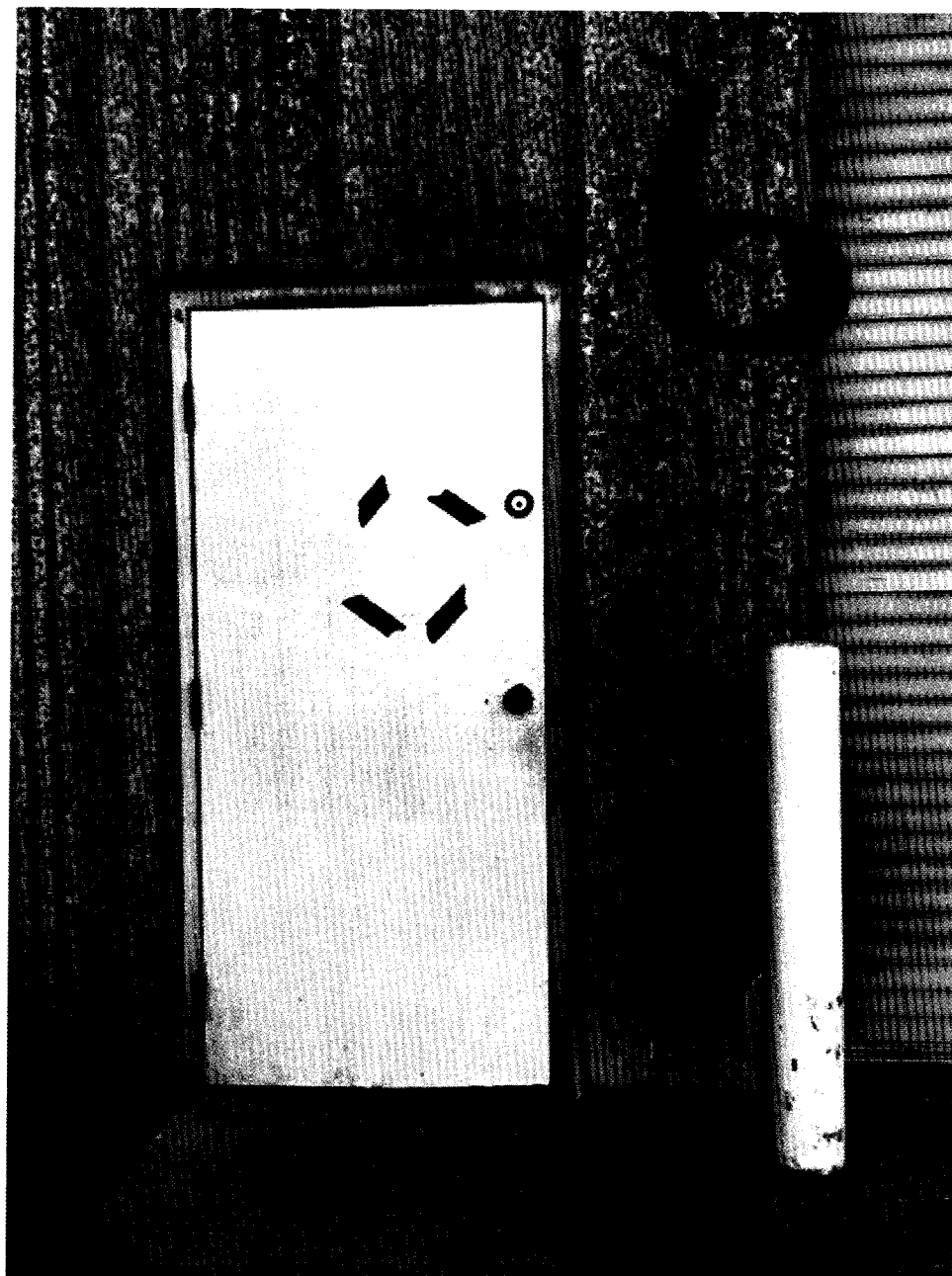
Carl White
Carl White

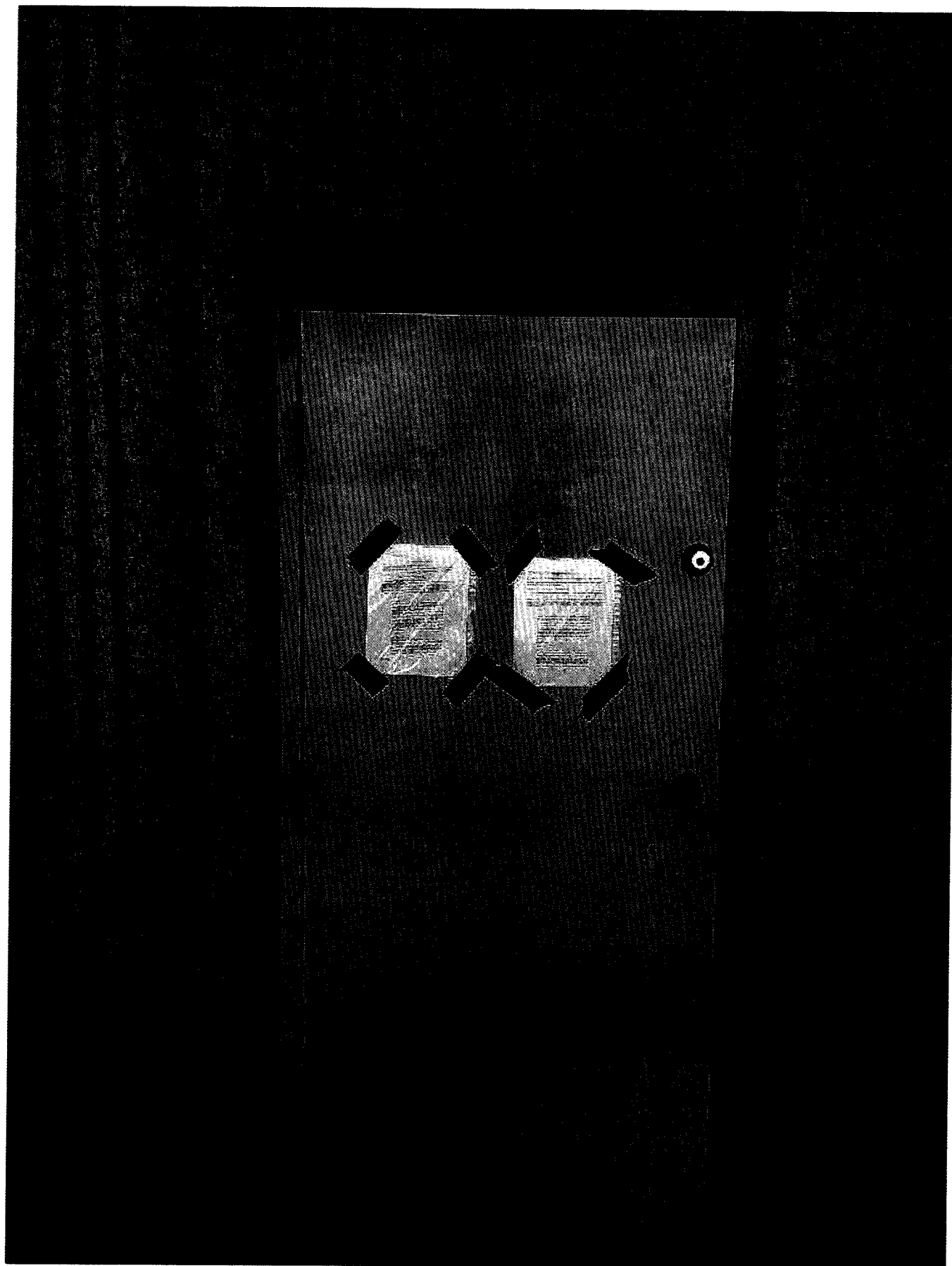
Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642

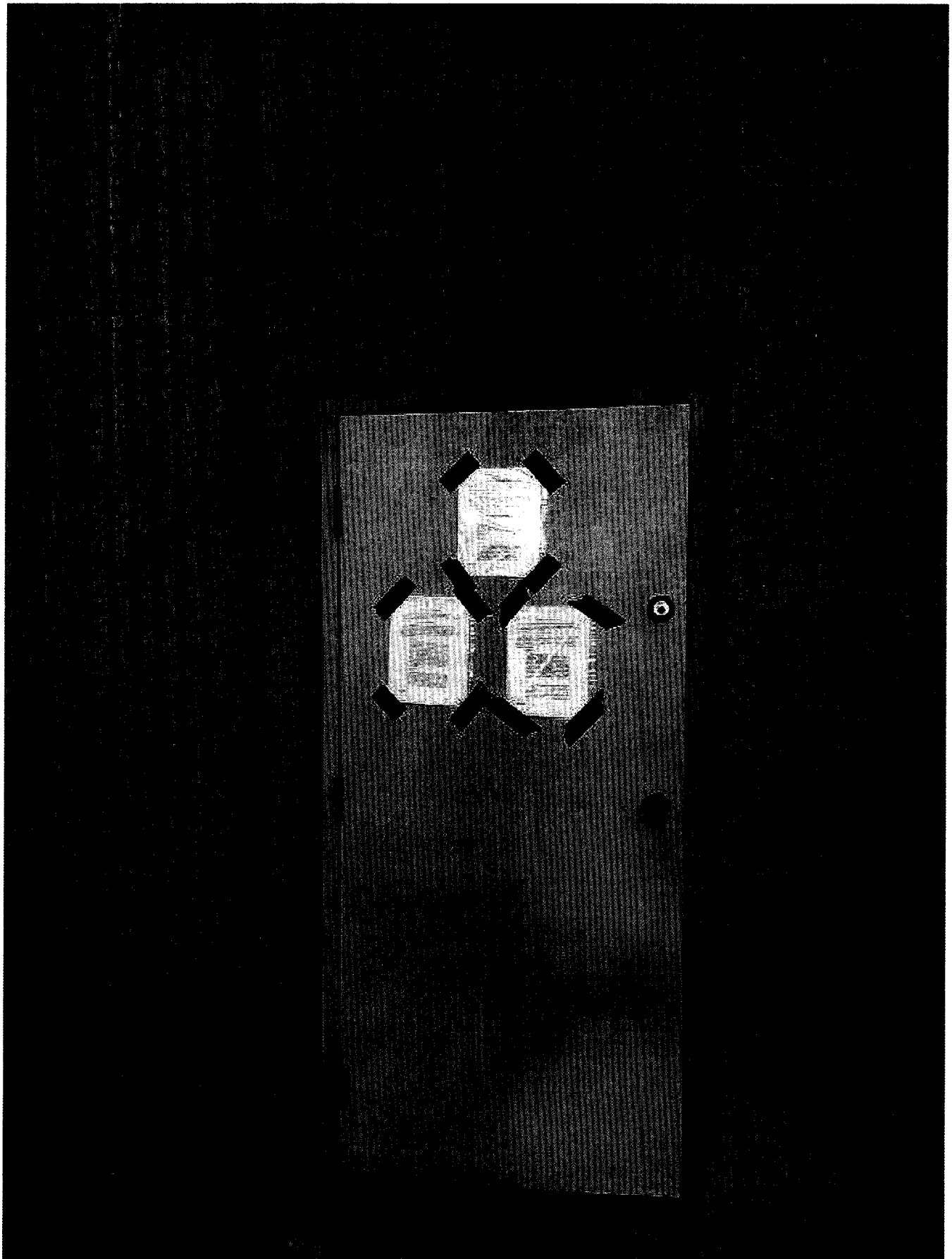
Our Job Serial Number: BAB-2018000431



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AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL 701B, 4TH STREET, MERRILL, OR 97633.**

I, Gary Clayton, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:46 pm, I:**

COMPLETED SERVICE pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE** upon the individuals and/or entities named below by delivering a copy of the aforementioned documents upon an **OCCUPANT** at the following address:

4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

I attempted personal service at the Property Address on **3/30/2018 at 4:46 pm**. Being unable to personally serve an occupant I POSTED the above mentioned documents in a conspicuous location on the property.

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

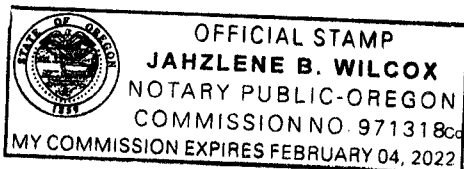
Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.


NOTARY PUBLIC


Gary Clayton
Process Server

**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000430



AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL 701B, 4TH STREET, MERRILL, OR 97633.**

I, Carl White, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:46 pm, I:**

SERVICE WAS COMPLETED pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE** upon the individuals and/or entities named below by delivering a copy of the aforementioned documents upon an **OCCUPANT** at the following address:

4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

At least two days after the first attempt and posting on **April 2, 2018 at 5:05 pm**, I returned to the Property Address and again was unable to make personal service upon an occupant and did a **SECOND POSTING.**

At least two days later on **April 5, 2018 at 7:30 pm**, I returned to the Property Address and again was unable to make personal service upon an occupant and did a **THIRD POSTING.**

AFFIDAVIT OF SERVICE For 2018-002694

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

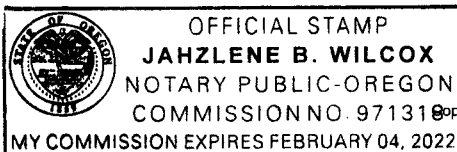
Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.

Jahzlene B. Wilcox
NOTARY PUBLIC

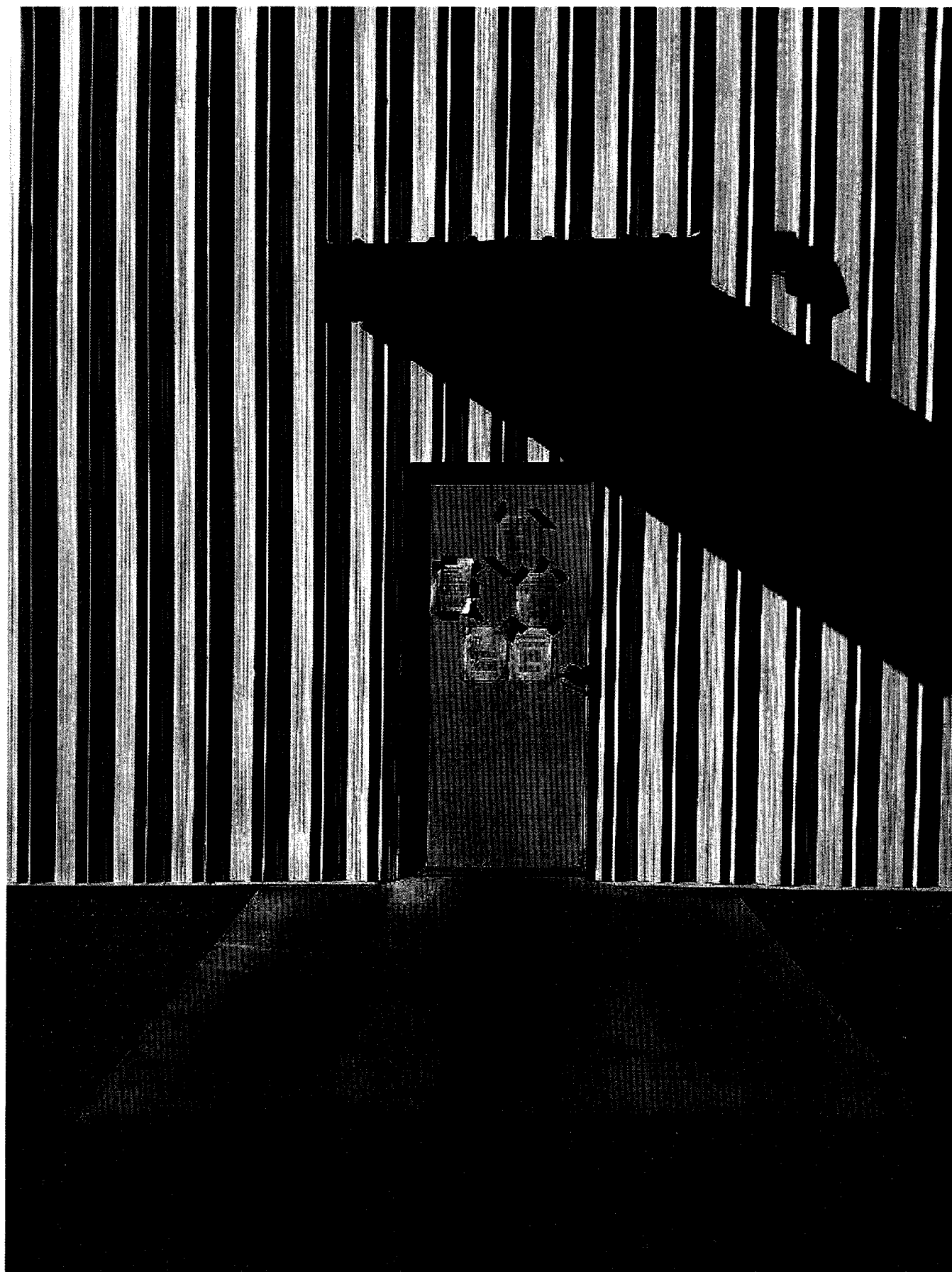
Carl White
Carl White

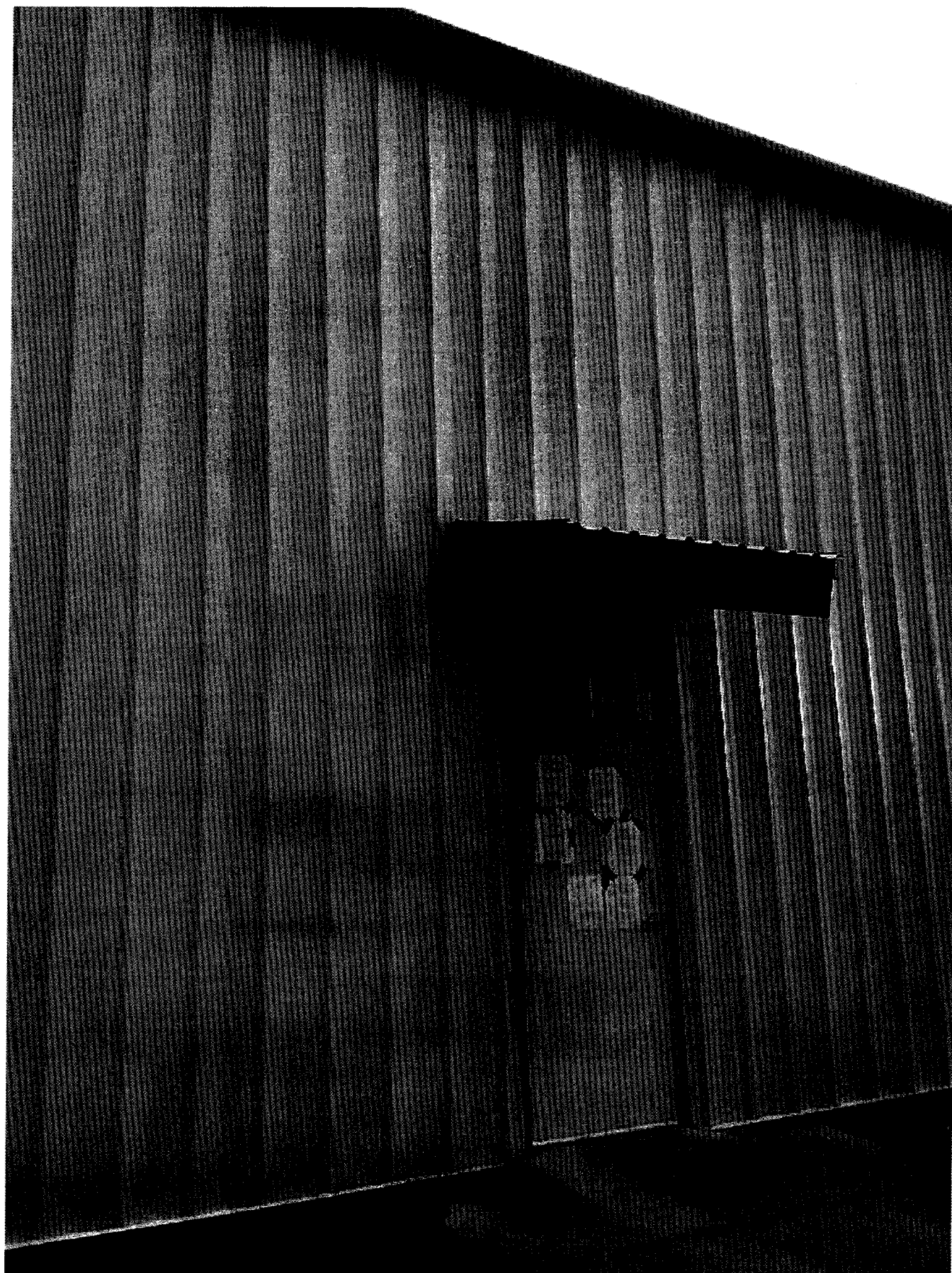
**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000430









AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL 701A, 4TH STREET, MERRILL, OR 97633.**

I, Gary Clayton, being duly sworn, depose and say that on the **30th day of March, 2018 at 2:18 pm, I:**

COMPLETED SERVICE pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE** upon the individuals and/or entities named below by delivering a copy of the aforementioned documents upon an **OCCUPANT** at the following address:

4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

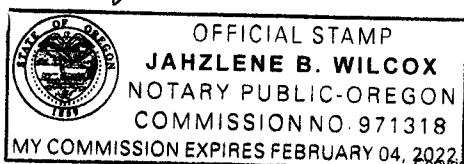
I attempted personal service at the Property Address on **3/30/2018 at 2:18 pm**. Being unable to personally serve an occupant I **POSTED** the above mentioned documents in a conspicuous location on the property.

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.


NOTARY PUBLIC




Gary Clayton
Process Server

**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000429

AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL 701A, 4TH STREET, MERRILL, OR 97633.**

I, Carl White, being duly sworn, depose and say that on the **30th day of March, 2018 at 2:18 pm, I:**

SERVICE WAS COMPLETED pursuant to ORS 86.774 of the TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE upon the individuals and/or entities named below by delivering a copy of the aforementioned documents upon an **OCCUPANT** at the following address:

4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

At least two days after the first attempt and posting on **April 2, 2018 at 5:03 pm**, I returned to the Property Address and again was unable to make personal service upon an occupant and did a **SECOND POSTING.**

At least two days later on **April 5, 2018 at 7:37 pm**, I returned to the Property Address and again was unable to make personal service upon an occupant and did a **THIRD POSTING.**

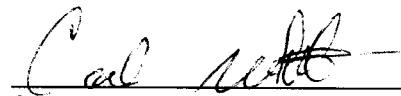
AFFIDAVIT OF SERVICE For 2018-002694

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.

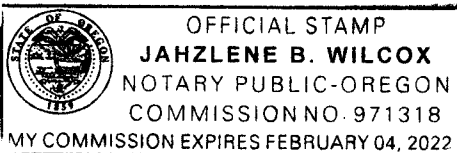

NOTARY PUBLIC



Carl White

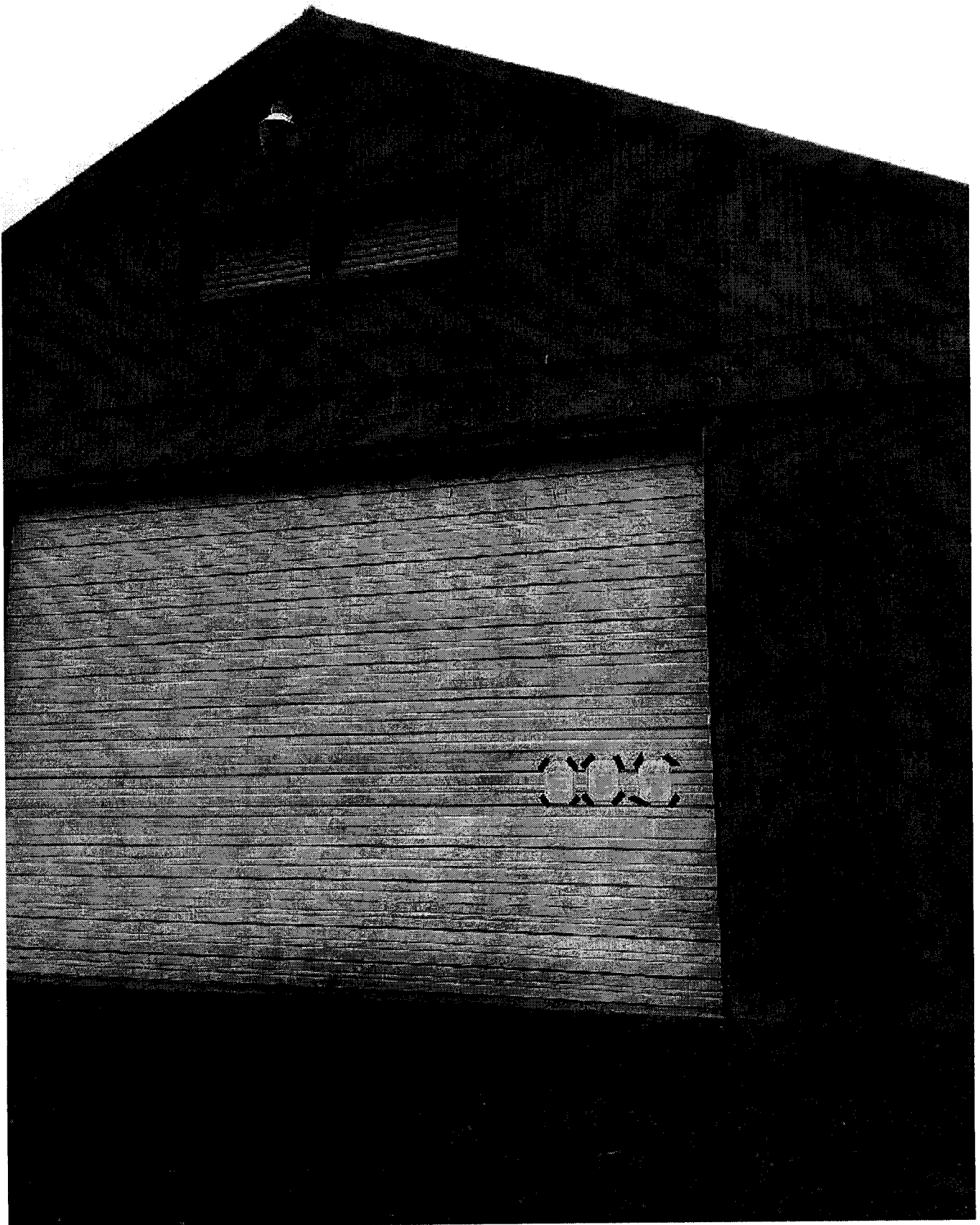
**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000429









AFFIDAVIT OF SERVICE

TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE

Case Number: 2018-002694

Beneficiary:
WASHINGTON FEDERAL

vs.

Grantor:
MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL
7500, 4TH STREET, MERRILL, OR 97633.**

I, Gary Clayton, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:39 pm, I:**

COMPLETED SERVICE pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF
DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE** upon the
individuals and/or entities named below by delivering a copy of the aforementioned documents upon an
OCCUPANT at the following address:

4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

I attempted personal service at the Property Address on **3/30/2018 at 4:39 pm**. Being unable to personally
serve an occupant I POSTED the above mentioned documents in a conspicuous location on the property.

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of
service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or
otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018

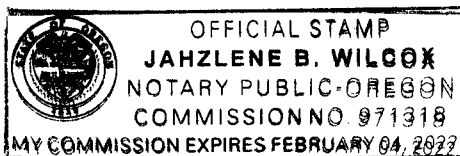
Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.


NOTARY PUBLIC


Gary Clayton
Process Server

**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000428



AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL
7500, 4TH STREET, MERRILL, OR 97633.**

I, Carl White, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:39 pm, I:**

SERVICE WAS COMPLETED pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE;
NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE
NOTICE** upon the individuals and/or entities named below by delivering a copy of the aforementioned
documents upon an **OCCUPANT** at the following address:

4TH STREET, MERRILL, OR 97633 ("Property Address") as follows:

At least two days after the first attempt and posting on **April 2, 2018 at 4:56 pm**, I returned to the Property
Address and again was unable to make personal service upon an occupant and did a **SECOND
POSTING.**

At least two days later on **April 5, 2018 at 7:34 pm**, I returned to the Property Address and again was
unable to make personal service upon an occupant and did a **THIRD POSTING.**

AFFIDAVIT OF SERVICE For 2018-002694

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.


NOTARY PUBLIC



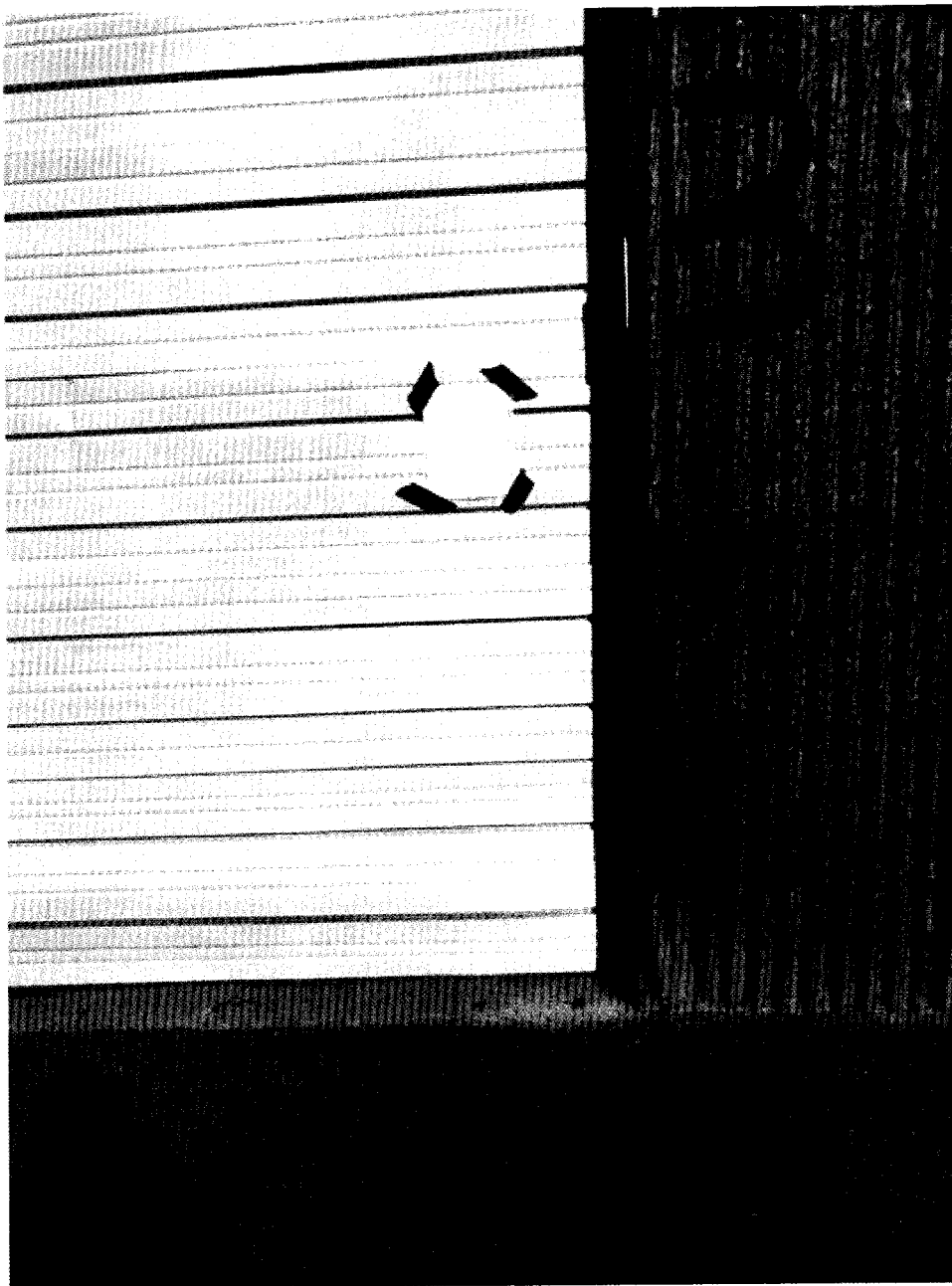
OFFICIAL STAMP
JAHZLENE B. WILCOX
NOTARY PUBLIC-OREGON
COMMISSION NO. 971318

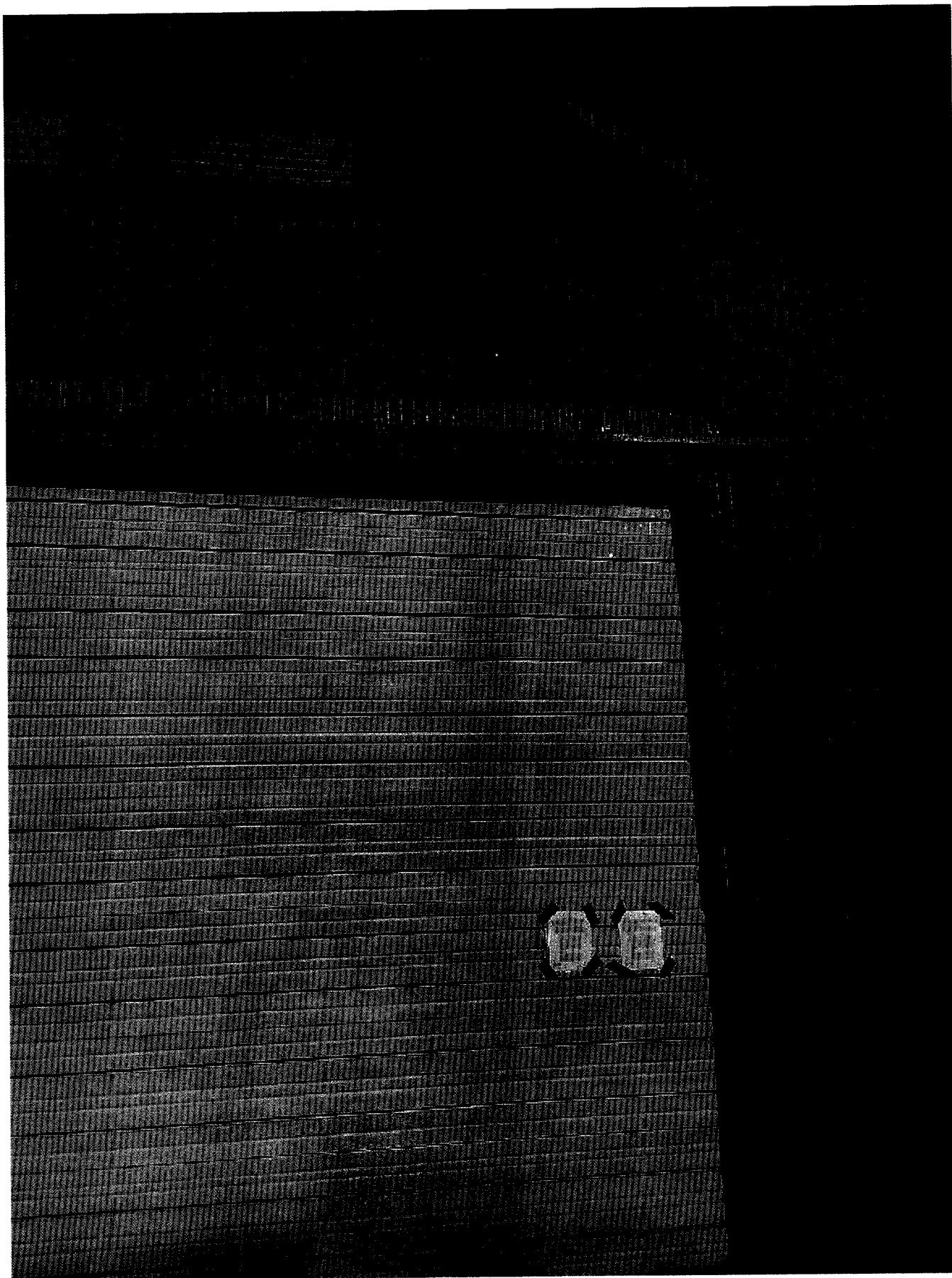
MY COMMISSION EXPIRES FEBRUARY 04, 2022

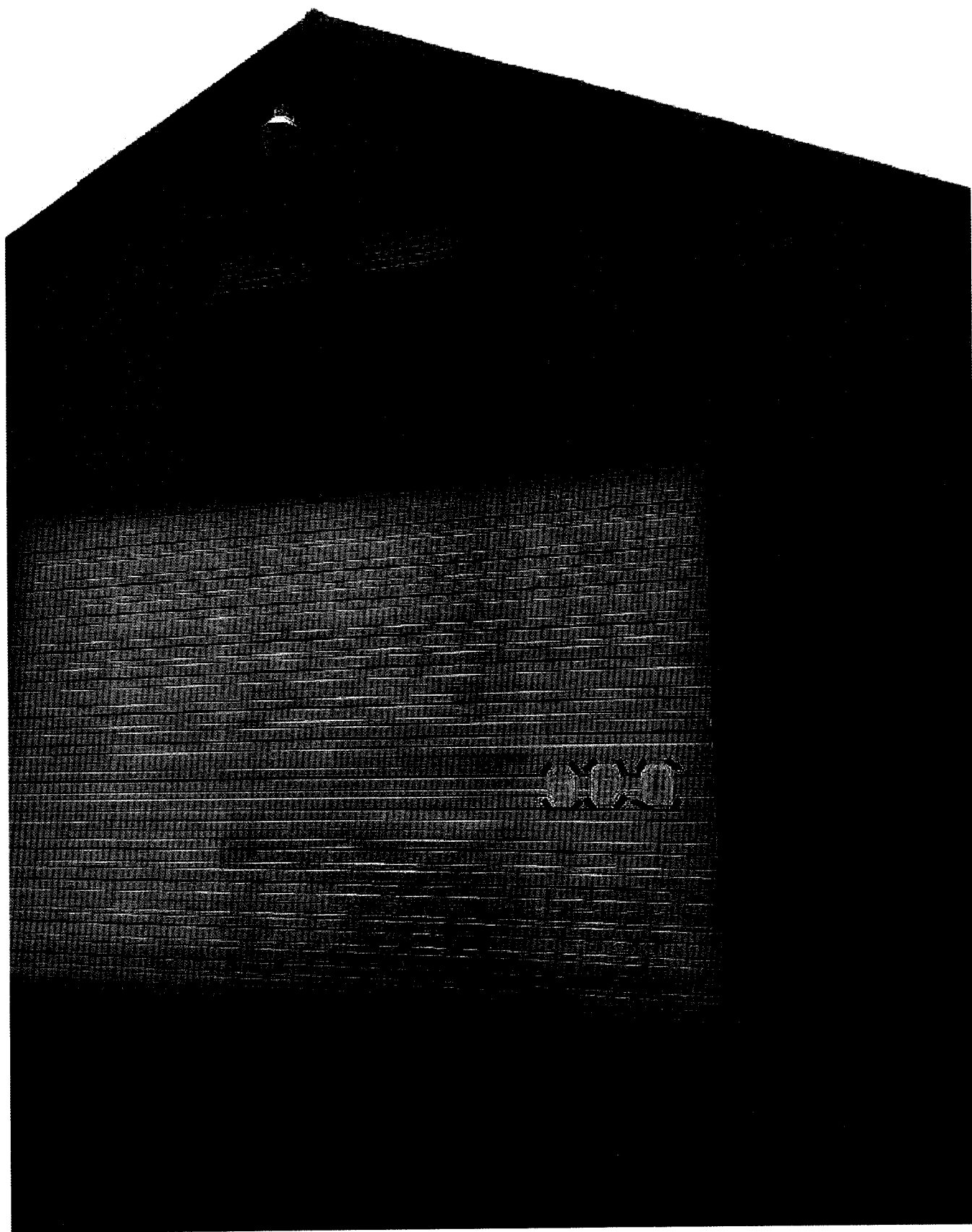

Carl White

Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642

Our Job Serial Number: BAB-2018000428







AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL
700, 4TH & MAIN STREET, MERRILL, OR 97633.**

I, Gary Clayton, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:35 pm, I:**

COMPLETED SERVICE pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF
DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE** upon the
individuals and/or entities named below by delivering a copy of the aforementioned documents upon an
OCCUPANT at the following address:

4TH & MAIN STREET, MERRILL, OR 97633 ("Property Address") as follows:

I attempted personal service at the Property Address on **3/30/2018 at 4:35 pm**. Being unable to personally
serve an occupant I POSTED the above mentioned documents in a conspicuous location on the property.

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of
service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or
otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

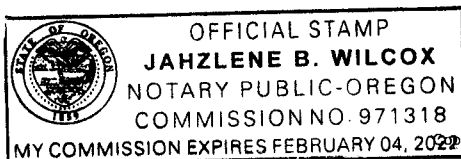
Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.


NOTARY PUBLIC


Gary Clayton
Process Server

**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000400



AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:

WASHINGTON FEDERAL

vs.

Grantor:

MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **ALL OCCUPANTS OF PARCEL
700, 4TH & MAIN STREET, MERRILL, OR 97633.**

I, Carl White, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:35 pm, I:**

SERVICE WAS COMPLETED pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE;
NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE
NOTICE** upon the individuals and/or entities named below by delivering a copy of the aforementioned
documents upon an **OCCUPANT** at the following address:

4TH & MAIN STREET, MERRILL, OR 97633 ("Property Address") as follows:

At least two days after the first attempt and posting on **April 2, 2018 at 4:53 pm**, I returned to the Property
Address and again was unable to make personal service upon an occupant and did a **SECOND
POSTING.**

At least two days later on **April 5, 2018 at 7:31 pm**, I returned to the Property Address and again was
unable to make personal service upon an occupant and did a **THIRD POSTING.**

AFFIDAVIT OF SERVICE For 2018-002694

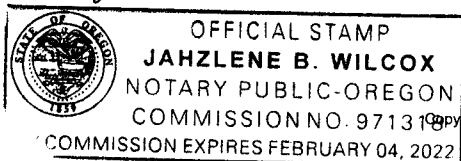
I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

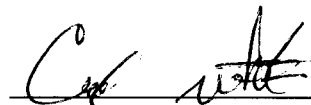
This affidavit was signed by the server on 4/9/2018

Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.



NOTARY PUBLIC

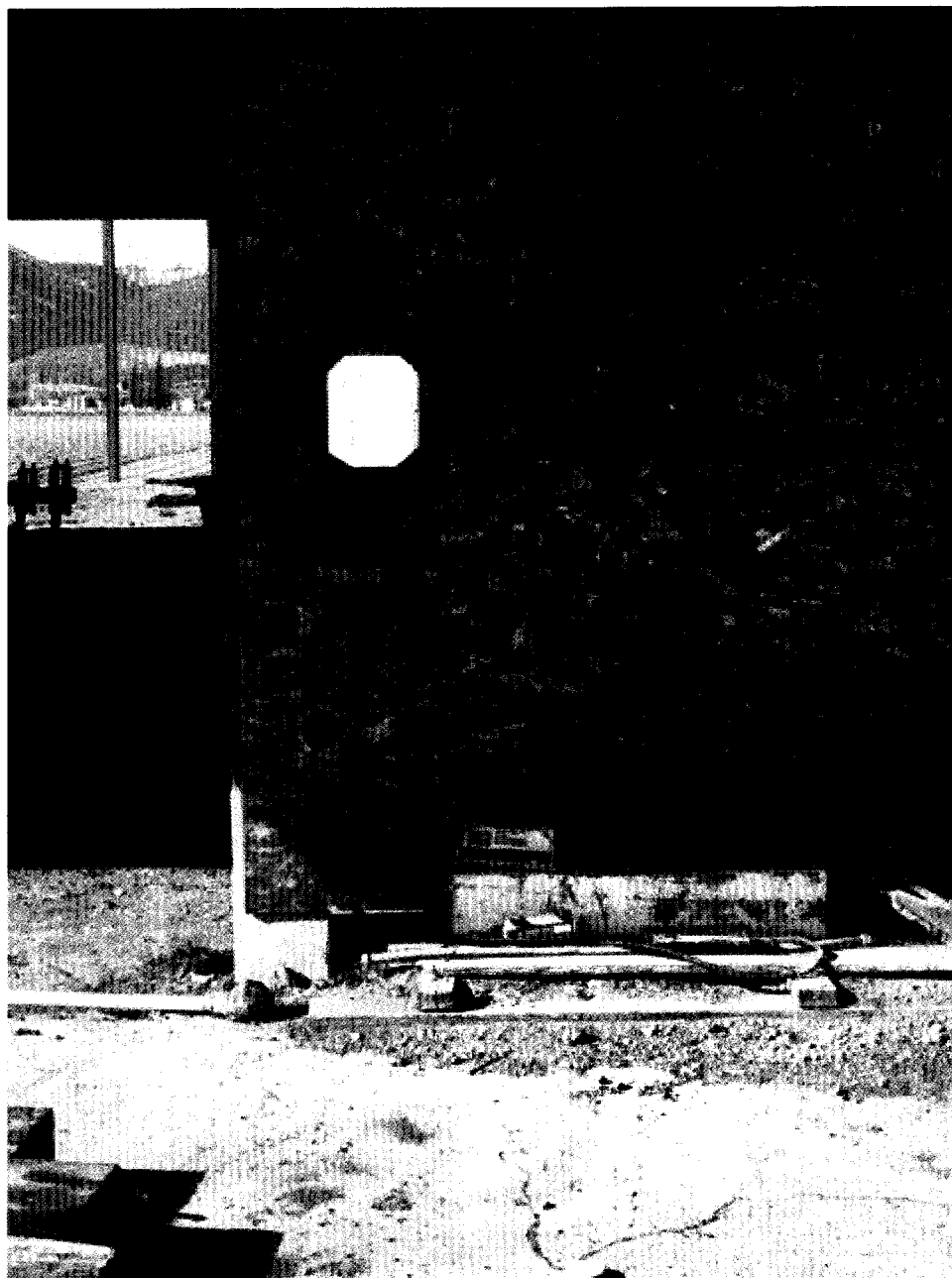


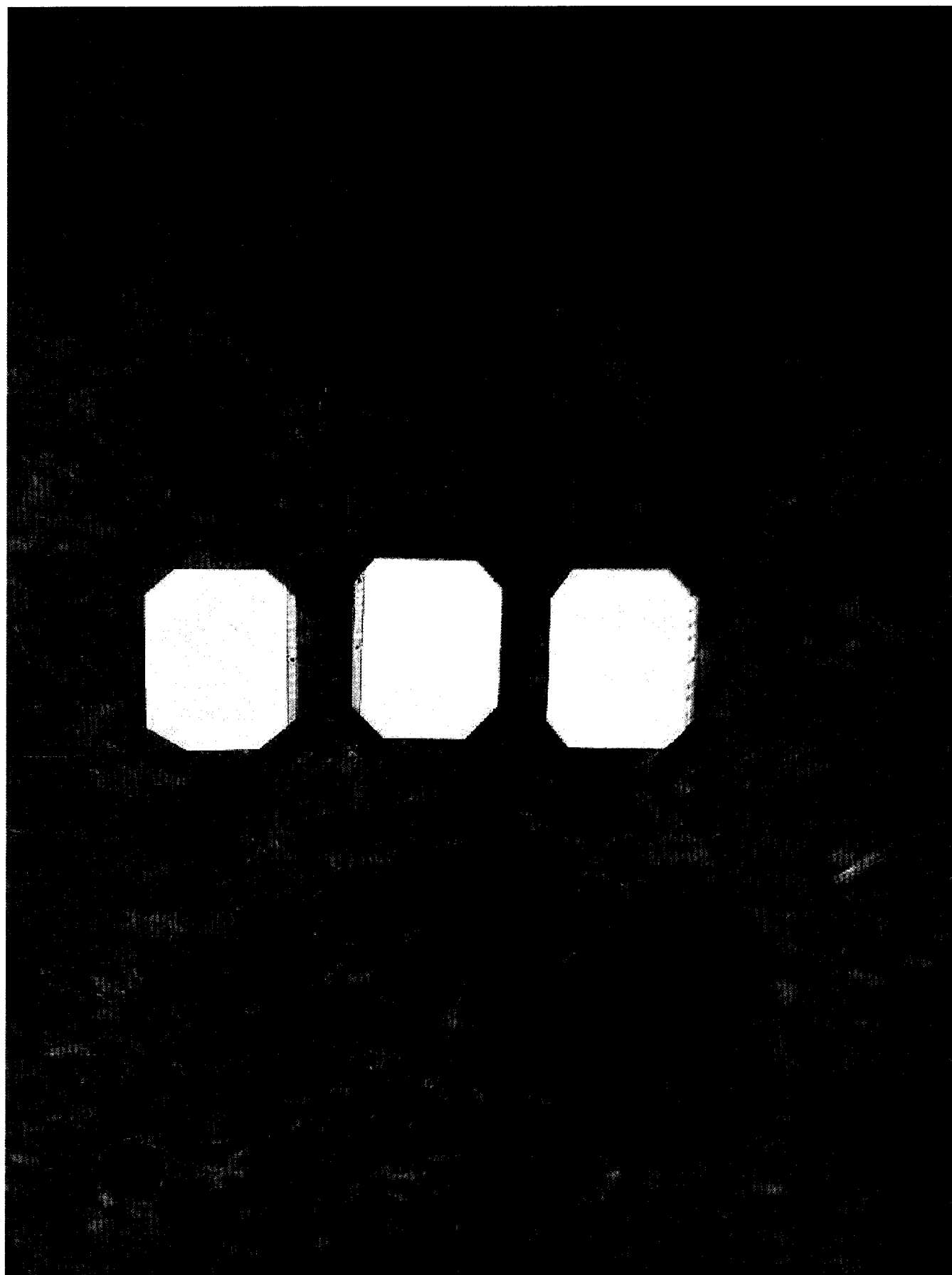


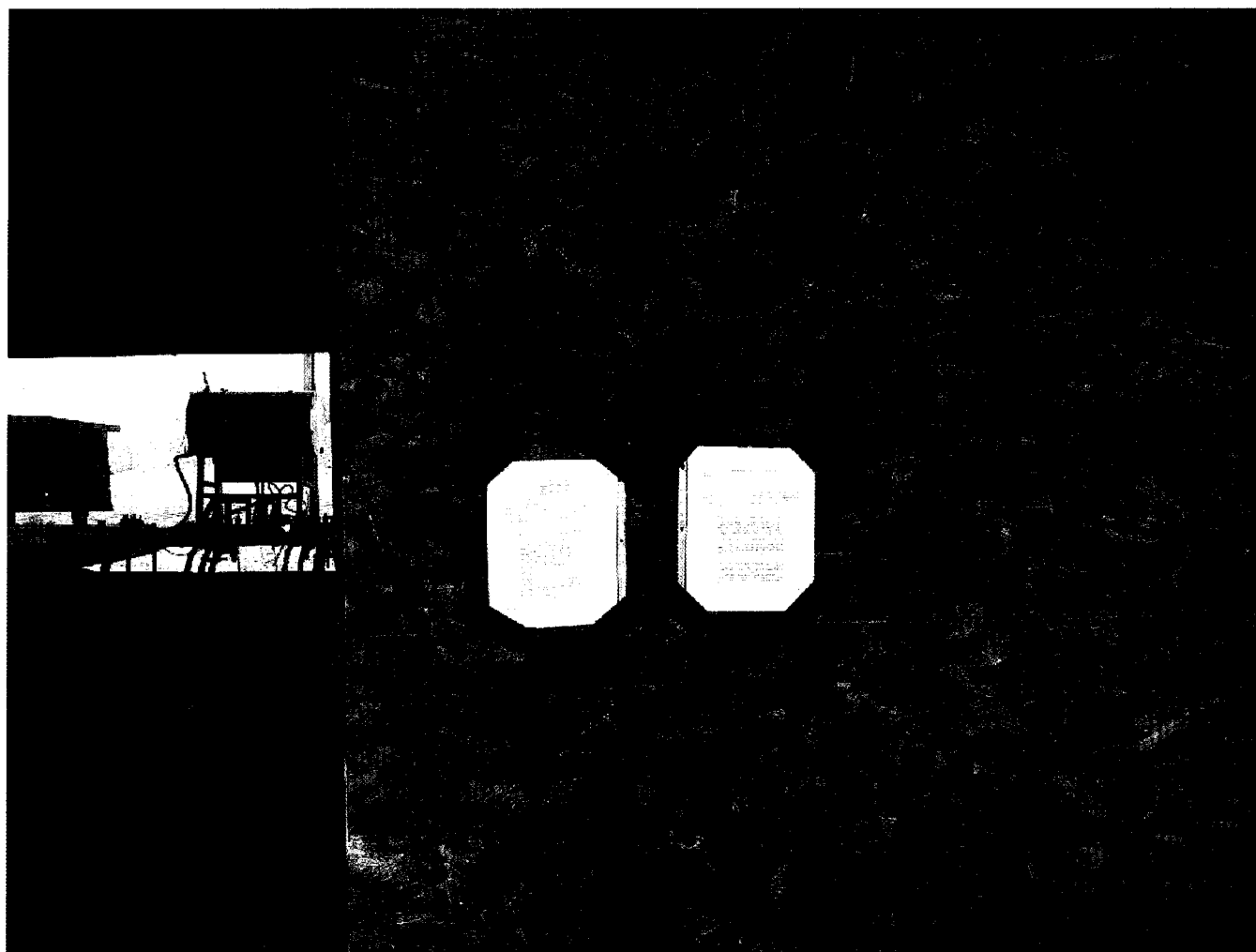
Carl White

**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000400







AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:
WASHINGTON FEDERAL

vs.

Grantor:
MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **OCCUPANTS, 415 NORTH MAIN (PARCEL 7300), MERRILL, OR 97633.**

I, Gary Clayton, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:42 am, I:**

COMPLETED SERVICE pursuant to **ORS 86.774** of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE** upon the individuals and/or entities named below by delivering a copy of the aforementioned documents upon an **OCCUPANT** at the following address:

415 NORTH MAIN (PARCEL 7300), MERRILL, OR 97633 ("Property Address") as follows:

I attempted personal service at the Property Address on **3/30/2018 at 4:42 am**. Being unable to personally serve an occupant I POSTED the above mentioned documents in a conspicuous location on the property.

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

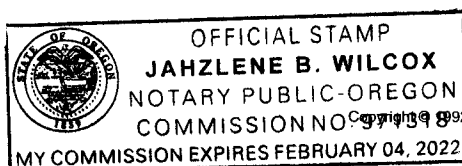
Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.


NOTARY PUBLIC


Gary Clayton
Process Server

**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000399



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AFFIDAVIT OF SERVICE

**TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL
AND FORECLOSURE AVOIDANCE MEASURE NOTICE**

Case Number: 2018-002694

Beneficiary:
WASHINGTON FEDERAL

vs.

Grantor:
MALIN POTATO COOPERATIVE INC.

Received by Free Lance Investigations & Process Serving to be served on **OCCUPANTS, 415 NORTH MAIN (PARCEL 7300), MERRILL, OR 97633.**

I, Carl White, being duly sworn, depose and say that on the **30th day of March, 2018 at 4:42 am, I:**

SERVICE WAS COMPLETED pursuant to ORS 86.774 of the TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE upon the individuals and/or entities named below by delivering a copy of the aforementioned documents upon an **OCCUPANT** at the following address:

415 NORTH MAIN (PARCEL 7300), MERRILL, OR 97633 ("Property Address") as follows:

At least two days after the first attempt and posting on **April 2, 2018 at 4:49 pm**, I returned to the Property Address and again was unable to make personal service upon an occupant and did a **SECOND POSTING.**

At least two days later on **April 5, 2018 at 7:29 pm**, I returned to the Property Address and again was unable to make personal service upon an occupant and did a **THIRD POSTING.**

On **4/6/2018** I mailed a true copy of the **TRUSTEE'S NOTICE OF SALE; NOTICE OF DEFAULT AND ELECTION TO SELL AND FORECLOSURE AVOIDANCE MEASURE NOTICE**, by First Class Mail, postage pre-paid, to occupant. The envelope was addressed as follows: **ALL OCCUPANTS, 415 NORTH MAIN (PARCEL 7300), MERRILL, OR 97633.**

AFFIDAVIT OF SERVICE For 2018-002694

I am a competent person, 18 years of age or older and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

This affidavit was signed by the server on 4/9/2018.

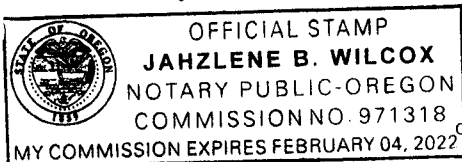
Subscribed and Sworn to before me on the 9
day of April, 2018 by the affiant
who is personally known to me.

Jahzlene B. Wilcox
NOTARY PUBLIC

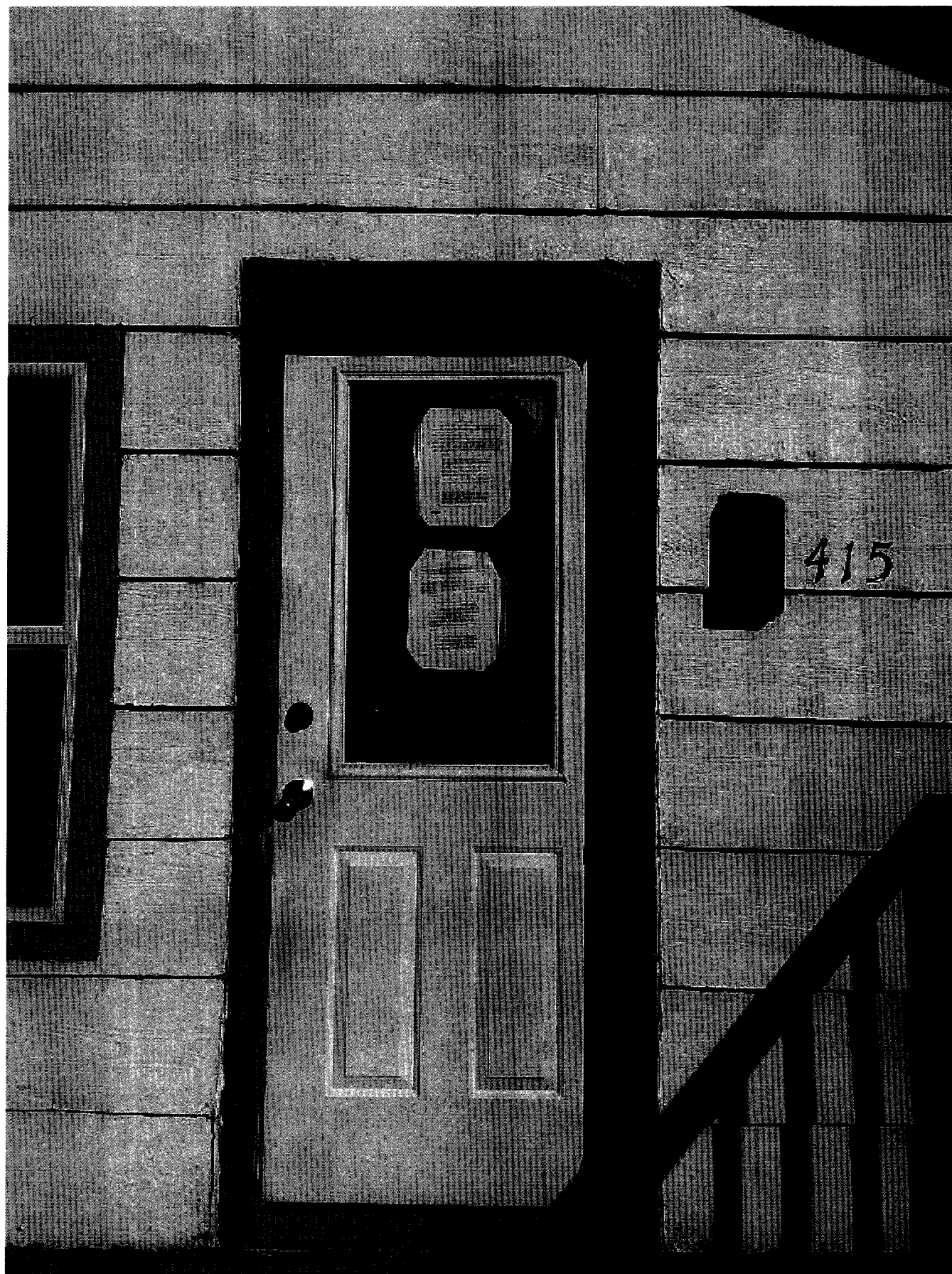
Carl White
Carl White

**Free Lance Investigations & Process Serving
Corporate Office
PO Box 1010
Lincoln City, OR 97367
(503) 201-1642**

Our Job Serial Number: BAB-2018000399










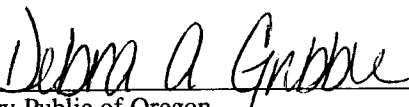
**AFFIDAVIT OF PUBLICATION
STATE OF OREGON,
COUNTY OF KLAMATH**

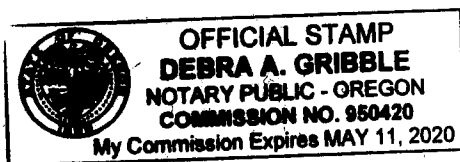
I, Pat Bergstrom, Legal Specialist, being duly sworn, depose and say that I am the principle clerk of the publisher of the Herald and News, a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at 2701 Foothills Blvd, Klamath Falls, OR 97603 in the aforesaid county and state; that I know from my personal knowledge that the Legal#18410 SALE MALIN POTATO COOPERATIVE, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 4

Insertion(s) in the following issues:
06/01/2018 06/08/2018 06/15/2018 06/22/2018

Total Cost: \$2353.92


Subscribed and sworn by Pat Bergstrom before me on:
22nd day of June in the year of 2018


Notary Public of Oregon
My commission expires on May 11, 2020



TRUSTEE'S NOTICE OF SALE

PLEASE TAKE NOTICE that the foregoing instrument shall constitute notice, pursuant to ORS 86.764, that the Grantor of the Trust Deed described below has defaulted on its obligations to beneficiary, and that the Beneficiary and Successor Trustee under the Trust Deed have elected to sell the property secured by the Trust Deed: DEED OF TRUST AND PROPERTY DESCRIPTION: This instrument makes reference to that certain Line of Credit Instrument/Line of Credit Deed of Trust ("Deed of Trust") dated October 15, 2014, and recorded on October 22, 2014, as instrument number 2014-011069, in the real property records of Klamath County, Oregon, wherein MALIN POTATO COOPERATIVE, INC., an Oregon cooperative corporation, is the Grantor, AMERITITLE is the original Trustee, and WASHINGTON FEDERAL is the Beneficiary (the "Deed of Trust"). The aforementioned Deed of Trust covers property (the "Property") described as: PARCEL A: All of Lots 1 and 8, Block 4 and those portions of Lots 2 and 7, Block 4 of the ORIGINAL TOWN OF MERRILL, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, together with a portion of the alley in said Block 4, lying Northerly of a line drawn parallel with and distant 8.5 feet Northerly, as measured at right angles from the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) most Northerly spur tract centerline, as now located and constructed upon, over and across said Block 4, bounded on the North by the South line of Fourth Street, bounded on the West by the East line of Main Street, and bounded on the East by the centerline of vacated Washington Street, all according to the recorded plat of the Original Town of Merrill, Oregon. PARCEL B: That portion of the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) Station Ground Property as Merrill, Oregon being of variable widths on each side of Said Railway Company's Main Tract centerline as now located and constructed upon, over and across the SW1/4 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon lying between the South line of Fourth Street, according to the recorded plat of MERRILL, thereof, and line drawn parallel with and distant 105.0 feet Southerly of, as measured at right angles from said South line of Fourth Street, and bounded between two lines drawn parallel with and distant, respectively, 560.0 feet and 710.00 feet Easterly.

TRUSTEE'S NOTICE OF SALE

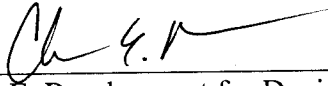
PLEASE TAKE NOTICE that the foregoing instrument shall constitute notice, pursuant to ORS 86.764, that the Grantor of the Trust Deed described below has defaulted on its obligations to beneficiary, and that the Beneficiary and Successor Trustee under the Trust Deed have elected to sell the property secured by the Trust Deed: **DEED OF TRUST AND PROPERTY DESCRIPTION:** This instrument makes reference to that certain Line of Credit Instrument/Line of Credit Deed of Trust ("Deed of Trust") dated October 15, 2014, and recorded on October 22, 2014, as instrument number 2014-011069, in the real property records of Klamath County, Oregon, wherein MALIN POTATO COOPERATIVE, INC., an Oregon cooperative corporation, is the Grantor, AMERITITLE is the original Trustee, and WASHINGTON FEDERAL is the Beneficiary (the "Deed of Trust"). The aforementioned Deed of Trust covers property (the "Property") described as: **PARCEL A:** All of Lots 1 and 8, Block 4 and those portions of Lots 2 and 7, Block 4 of the ORIGINAL TOWN OF MERRILL, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, together with a portion of the alley in said Block 4, lying Northerly of a line drawn parallel with and distant 8.5 feet Northerly, as measured at right angles from the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) most Northerly spur tract centerline, as now located and constructed upon, over and across said Block 4, bounded on the North by the South line of Fourth Street, bounded on the West by the East line of Main Street, and bounded on the East by the centerline of vacated Washington Street, all according to the recorded plat of the Original Town of Merrill, Oregon. **PARCEL B:** That portion of the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) Station Ground Property as Merrill, Oregon being of variable widths on each side of said Railway Company's Main Tract centerline as now located and constructed upon, over and across the SW1/4 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon lying between the South line of Fourth Street, according to the recorded plat of MERRILL thereof, and line drawn parallel with and distant 105.0 feet Southerly of, as measured at right angles from said South line of Fourth Street, and bounded between two lines drawn parallel with and distant, respectively, 560.0 feet and 710.00 feet Easterly of the East line of Main Street, according to said recorded plat thereof, as measured along said South line of Fourth Street. **PARCEL C:** That portion of the N1/2 SE1/4 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying Northerly of a line drawn parallel with and distant 50.0 feet Northerly as measured at right angles from the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) Main Tract centerline as now located and constructed upon, over and across said Section 1, and lying Westerly of a line drawn parallel with the distant 450.0 feet Easterly, as measured at right angles from the West line of said N1/2 SE1/4 SW1/4. **PARCEL D:** Parcel 2 of Land Partition 16-14, situated in the N1/2 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, recorded September 18, 2014 in Volume 2014-009711, Microfilm Records of Klamath County, Oregon. The undersigned hereby certifies that he has no knowledge of any assignments of the Deed of Trust by the Trustee or by the Beneficiary or any appointments of a Successor Trustee other than the appointment of DAVID W. CRISWELL, as Successor Trustee as recorded in the property records of the county in which the Property described above is situated. Further, the undersigned certifies that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the Deed of Trust. Or, if such action has been instituted, it has been dismissed except as permitted by ORS 86.752(7). The name and address of the Successor Trustee are as follows: David W. Criswell, Successor Trustee, Lane Powell PC, 601 SW Second Avenue, Suite 2100, Portland, OR 97204. The Deed of Trust is not a "Residential Trust Deed", as defined in ORS 86.705(6), thus the requirements of Chapter 304 [S.B. 558], Oregon Laws 2013, Chapter 112 [S.B. 1552], Section 4a, Oregon Laws 2012, and ORS 86.771(10) do not apply. **DEFAULT BY GRANTOR:** There are continuing and uncured defaults by Malin Potato Cooperative, Inc. (the "Grantor") that, based on the provisions of the Deed of Trust and the loan documents executed in favor of Washington Federal ("Beneficiary") for Loan No. 4512877, including the promissory note dated and effective as of October 15, 2014 ("Note"), authorize the foreclosure of the Deed of Trust and the sale of the Property described above, which uncured and continuing defaults include but are not necessarily limited to the following: 1. Grantor's failure to pay to Beneficiary, when and in the full amounts due, monthly installments as set forth on the Note secured by said Deed of Trust. Monthly installments in the amount of \$48,460.31 include principal and interest. The Grantor failed to make payments on this loan due on January 1, 2018 and February 1, 2018, and has advised that Grantor has ceased business operations and will not be making any further payments to the Beneficiary. Late charges and EZ cancellation charges through and including February 23, 2018 total \$5,346.04. Interest due as of (i.e., through and including) February 23, 2018 is in the amount of \$69,711.86 and continues to accrue at the rate of four and 95/100 percent (4.95%) per annum or \$784.68 per diem. ALL AMOUNTS are now due and payable along with all costs and fees associated with this foreclosure. 2. Grantor also failed to pay real property taxes due to Klamath County, Oregon for 2015-2016, 2016-2017, and 2017-2018, which created liens which primed and were senior to the lien of the Deed of Trust. Beneficiary made a protective advance on Grantor's behalf to Klamath County, Oregon on February 23, 2018 in the amount of \$249,746.39 to pay in full all delinquent taxes on the Property for tax years 2015-2016, 2016-2017, and 2017-2018. Grantor is obligated under the Deed of Trust to pay Lender \$249,746.39 plus interest at the rate of four and 95/100 percent (4.95%) per annum from and after February 23, 2018 on account of such protective advance. **TOTAL UNCURED MONETARY (PAYMENT) DEFAULT:** By reason of said uncured and continuing defaults, the Beneficiary has accelerated and declared all sums owing on the obligation secured by the Deed of Trust and the Property immediately due and payable. The sums due and payable being the following: Unpaid principal amount due and owing under the Note as of February 23, 2018 \$5,457,006.77 (balance prior to the addition of the 2/23/18 protective advance for taxes); Unpaid interest owing under the Note as of February 23, 2018 \$69,711.86; Late charges and EZ cancellation charge to February 23, 2018 \$5,346.04; Protective Advance for Real Property Taxes as of February 23, 2018 \$249,746.39; **TOTAL DUE \$5,781,811.06.** Accordingly, the sum owing on the obligation secured by the Deed of Trust is \$5,781,811.06, as of February 23, 2018, together with interest accruing on the principal portion of that amount, plus additional costs and expenses incurred by Beneficiary and/or the Successor Trustee (including their respective attorney's fees, costs, and expenses). **ELECTION TO SELL:** Notice is hereby given that the Beneficiary, by reason of the uncured and continuing defaults described above, has elected and does hereby elect to foreclose said Deed of Trust by advertisement and sale pursuant to ORS 86.752 *et seq.*, and to cause to be sold at public auction to the highest bidder for cash, the Grantor's interest in the subject Property, which the Grantor had, or had the power to convey, at the time the Grantor executed the Deed of Trust in favor of the Beneficiary, along with any interest the Grantor or the Grantor's successors in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust as well as the expenses of the sale, including compensation of the Trustee as provided by law, and the reasonable fees of Trustee's attorneys. **PLEASE TAKE NOTICE** that the sale will be held at the hour of 11:00 a.m., in accordance with the standard of time established by ORS 187.110, on July 30, 2018, on the front steps of the main entrance to the Klamath County Courthouse, at 316 Main Street, Klamath Falls, Oregon 97601. **RIGHT OF REINSTATEMENT:** Notice is further given that any person named in ORS 86.778 has the right, at any time prior to five (5) days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Deed of Trust satisfied by (A) 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, together with the costs and expenses actually incurred in enforcing the terms of the obligation, as well as Successor Trustee and attorney fees as prescribed by ORS 86.778; and (B) by curing all such other continuing and uncured defaults as noted in this Notice. **NOTICE REQUIRED UNDER ORS 86.771(9):** Without limiting the Successor Trustee's disclaimer of representations or warranties, Oregon law requires the Successor Trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamine, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's sale. **DATED:** March 21, 2018. David W. Criswell, OSB 925930, Successor Trustee, Lane Powell PC, 601 SW Second Avenue, Suite 2100, Portland, OR 97204. Telephone: (503) 778-2100. Facsimile: (503) 778-2200. Email: CriswellD@LanePowell.com.
#18410 June 01, 08, 15, 22, 2018.

**AFFIDAVIT OF FILING FORECLOSURE AVOIDANCE MEASURE NOTICE
WITH THE ATTORNEY GENERAL OF OREGON**

State of Oregon)
) ss.
County of Multnomah)

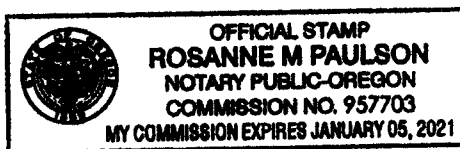
I, Carole E. Brock, agent for David W. Criswell, Successor Trustee, being first duly sworn, depose and say:

1. The attached Foreclosure Avoidance Measure Notice is a true and correct copy of the Foreclosure Avoidance Measure Notice that was filed on behalf of Washington Federal with the Oregon Department of Justice, Oregon Foreclosure Avoidance Program, on April 2, 2018, pursuant to OAR 137-120-0020.



Carole E. Brock, agent for David W. Criswell,
Successor Trustee

Signed and sworn to before me on April 20, 2018, by Carole E. Brock, agent for David W. Criswell, Successor Trustee.





Notary Public of Oregon

FORECLOSURE AVOIDANCE MEASURE NOTICE

YOU MAY LOSE YOUR PROPERTY IF YOU DO NOT TAKE ACTION IMMEDIATELY

Homeowner/Grantor:	Malin Potato Cooperative, Inc.
Lender/Beneficiary:	Washington Federal
Property Address:	215 N. Main Street and 421 E. 4th Street, Merrill, OR 97633

Your Lender has determined that:

- ☒ You are not eligible for any foreclosure avoidance measure offered by your lender. The following foreclosure avoidance measures were considered but you are not eligible for them. The basis for the Lender's determination is (must be described with specificity in plain language):

The Oregon foreclosure avoidance program is for residential trust deeds only. The collateral securing your Deed of Trust with Washington Federal is commercial real property.

You are not eligible because you are not a grantor of a residential trust deed.

- ☐ You are not in compliance with the terms of an agreement with your Lender for forbearance, a temporary or permanent loan modification, a short sale, a deed-in-lieu of foreclosure, or another foreclosure avoidance measure. The basis for the Lender's determination is (must be described with specificity in plain language):

Your property is currently set for sale on July 30, 2018 at 11:00 AM (time/date) at Klamath CO. Courthouse, Klamath Falls (location). If you disagree with your Lender's determination, you should seek legal advice immediately.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call 211 or visit www.oregonhomeownersupport.gov. If you need help finding a lawyer, call the Oregon State Bar's Lawyer Referral Service online at www.oregonstatebar.org or by calling (503) 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636. Free legal assistance may be available if you are very low income. For more information and a directory of legal aid programs, go to www.oregonlawhelp.org.

[Beneficiary/Beneficiary's Agent]

By: 

Date: March 21, 2018