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Return to: Brandsness, Brandsness & Rudd, P.C. 411 Pine Street Klamath Falls, Oregon 97601	Clerk's Stamp: State of Oregon, County of Klamath Recorded 3/03/00, at <u>3:29 p</u> m. In Vol. M00 Page <u>6928</u> Linda Smith, County Clerk Fee\$ <u>31<sup>00</sup></u>
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K 54652

## SUPPLEMENTAL AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF OREGON                    )  
   ) ss:  
 County of Klamath                )

I, Michael P. Rudd, 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 notice of sale given under the terms of that certain trust deed described in said notice.

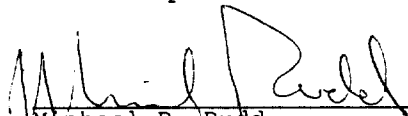
I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

John Knapp  
 Beneficial Oregon, Inc.  
 1345 Center Drive, Suite D  
 Medford, OR 97501

Michael L. Spencer  
 Attorney at Law  
 419 Main Street  
 Klamath Falls, OR 97601  
 Attorney for Ronald and Pamela Pettijohn

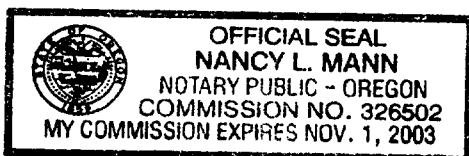
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the trustee, Michael P. Rudd; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on March 2, 2000. With respect to each person listed above, 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 of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

  
 Michael P. Rudd

STATE OF OREGON                    )  
   ) ss.   March 2, 2000.  
 County of Klamath                )

Personally appeared Michael P. Rudd and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:



  
 Notary Public for Oregon  
 My Commission expires: 11-1-03

**TRUSTEE'S NOTICE OF DEFAULT  
AND ELECTION TO SELL AND OF SALE**

Reference is made to the following Trust Deed: Charles J. Miller and Joan R. Miller, Grantor; Klamath County Title Company, Trustee; and Timm Burr, Inc., Beneficiary, recorded in Official/Microfilm Records, Volume M97, Page 247, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon:

The N1/2 SE1/4 NW1/4 NE1/4 of Section 28, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

No action is pending to recover any part of the debt secured by the trust deed.

The obligation secured by the trust deed is in default because the grantor has failed to pay the following: Failed to make regular monthly payments of \$150; failed to pay 1997 -1998 and 1998-1999 Klamath County Real Property Taxes.


The sum owing on the obligation secured by the trust deed is: The sum of \$12,814.23 plus interest at the rate of 9% per annum from September 9, 1999, until paid; 1997-1998 and 1998-1999 Klamath County Real Property Taxes in the amount of \$224.71 plus interest until paid, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.

Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on March 24, 2000, at 10 o'clock a.m. based on standard of time established by ORS 187.110 at the Offices of Brandsness, Brandsness & Rudd, P.C., 411 Pine Street, Klamath Falls, Oregon.

Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.

Dated: November 4, 1999.

  
\_\_\_\_\_  
Michael P. Rudd, Trustee  
411 Pine Street  
Klamath Falls, OR 97601

## PROOF OF SERVICE

K-54652 JEFFERSON STATE ADJUSTERS

STATE OF OREGON  
COUNTY OF

Klamath

COURT CASE NO. \_\_\_\_\_

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- |   |                                    |  |                                   |                                   |
|---|------------------------------------|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Summons & Complaint    | <input type="checkbox"/> Summons   | <input type="checkbox"/> Small Claim         | <input type="checkbox"/> Motion   | <input type="checkbox"/> Answer   |
| <input type="checkbox"/> Restraining Order      | <input type="checkbox"/> Judgment  | <input type="checkbox"/> Affidavit           | <input type="checkbox"/> Petition | <input type="checkbox"/> Letter   |
| <input type="checkbox"/> Summons & Petition     | <input type="checkbox"/> Order     | <input type="checkbox"/> Decree              | <input type="checkbox"/> Notice   | <input type="checkbox"/> Citation |
| <input type="checkbox"/> Notice of Small Claims | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Subpoena |                                   |

☒ Trustee's Notice of Default + Election to sell + of Sale  
For the within named: Occupants of 40940 Highway 97 North - Charles S. Miller and Joan R. Miller

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Joan R. Miller at the address below.

☒ SUBSTITUTE SERVICE: By delivering an Original or True Copy to Joan Miller, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Charles S. Miller

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, leaving such true copy or Original with \_\_\_\_\_, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.  
Upon \_\_\_\_\_, by (a) delivering such true copy personally and in person, Corporation, Limited Partnership, etc.

to: \_\_\_\_\_ who is a/the \_\_\_\_\_ thereof, or  
(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the office of \_\_\_\_\_, who is a/the \_\_\_\_\_ thereof.

☐ OTHER METHOD: \_\_\_\_\_ By leaving an Original or True Copy with \_\_\_\_\_

☐ NOT FOUND: I certify that I received the within document for service on \_\_\_\_\_ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, \_\_\_\_\_ within \_\_\_\_\_ County.

40940 Highway 97 North  
ADDRESS OF SERVICE STREET  
Chiloquin CITY  
Oregon STATE  
UNIT / APT / SPC# 97624 ZIP

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

Nov. 17, 1999 DATE OF SERVICE 3:15 a.m. ☐ p.m. ☒  
Dave Shuck SIGNATURE

or not found  
PRINTED IN OREGON Robert Brandle, 12 Brandle, 4 Randal