

200 OCT 19 AM 11:11

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

Vol M00 Page 38133

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

mtc 51004

*This Space For County Recording Use Only  
as of 8-1-98*

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

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



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



**AFFIDAVIT OF PUBLICATION NOTICE OF SALE**



**PROOF OF SERVICE**

*Original Grantor on Trust Deed*

*Beneficiary*

Return to:  
 Brandsness, Brandsness & Rudd, P.C.  
 411 Pine Street  
 Klamath Falls, Oregon 97601

Clerk's Stamp:

**AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR,  
 SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE**

STATE OF OREGON                    )  
   ) ss:  
 County of Klamath                )

I, Andrew C. Brandsness, 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:

Shelly L. Kilgore  
 2127 White Avenue  
 Klamath Falls, OR 97601

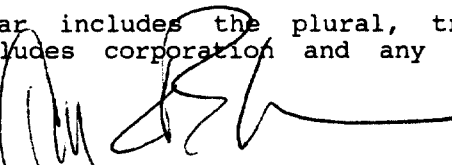
Barbara J. Kilgore  
 2127 White Avenue  
 Klamath Falls, OR 97601

Valley Credit Service, Inc.  
 c/o Greg Hammack, Registered Agent  
 P. O. Box 2046  
 Salem, OR 97308

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) and any person, including the Department of Revenue or an other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

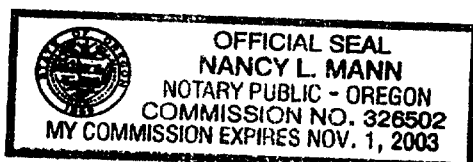
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the trustee Michael P. Rudd; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on June 21, 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.

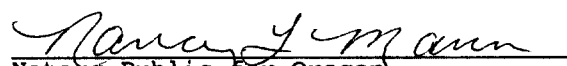
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

  
 Andrew C. Brandsness

STATE OF OREGON                    )  
   ) ss.               June 21, 2000.  
 County of Klamath                )

Personally appeared Andrew C. Brandsness 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: Shelly L. Kilgore and Barbara J. Kilgore, Grantor; AmeriTitle, Trustee; and Kermit F. Taylor and Diane G. Taylor, Beneficiary, recorded in Official/Microfilm Records, Volume M99, Page 40824, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon:

Lot 12, Block 210, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of 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 pay monthly installments as provided in the promissory note; failed to pay 1998-1999 and 1999-2000 Klamath County Real Property Taxes.

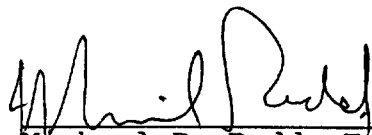
The sum owing on the obligation secured by the trust deed is: \$23,641.81 plus interest at the rate of 9% per annum from April 28, 2000; 1998-1999 and 1999-2000 Klamath County Real Property Taxes in the amount of \$1,156.00 plus interest., plus trustee's fees, attorney's fees, foreclosure costs and any 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 November 3, 2000, at 10:00 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: June 19, 2000.

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

**PROOF OF SERVICE**  
**JEFFERSON STATE ADJUSTERS**

**38136**

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 checked="" 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 |                                   |
| <input checked="" type="checkbox"/> <u>Trustees Notice of Sale</u> |                                    |  |                                   |                                   |

For the within named: \_\_\_\_\_

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to: \_\_\_\_\_  
Shelley Kilgore and Barbara Kilgore at the address below.

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Shelley Kilgore,  
a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:  
Lwayne Kilgore

☐ **OFFICE SERVICE:** At the office which he/she maintains for the conduct of business as shown at the address below, by 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.

2127 White Ave  
ADDRESS OF SERVICE STREET UNIT / APT / SPC#  
Klamath Falls  
CITY OR STATE 97601 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.

June 23, 2000 1:53 a.m. ☐ p.m. ☒ Jeffrey K Hamner  
DATE OF SERVICE TIME OF SERVICE SIGNATURE

# Affidavit of Publication

## 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 #3420

Trustee's Notice of Default

Shelly L. Kilgore

a printed copy of which is hereto annexed,  
was published in the entire issue of said  
newspaper for Four

( 4 ) insertion(s) in the following issues:

August 18, 25, 2000

September 1, 8, 2000

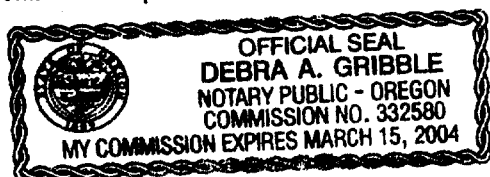
Total Cost: \$337.50

Subscribed and sworn before me this 8th  
day of September 20 00

Debra A. Gribble

Notary Public of Oregon

My commission expires March 15 20 04



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

Reference is  
made to the following  
Trust Deed: Shelly L.  
Kilgore and Barbara J.  
Kilgore, Grantor;  
AmeriTitle, Trustee;  
and Kermit F. Taylor,  
Beneficiary, recorded  
in official/Microfilm  
Records, Volume M99,  
Page 40824, Klamath  
County, Oregon, cover-  
ing the following-de-  
scribed real property

in  
Klamath County, Ore-  
gon:  
Lot 12, Block 210,  
MILLS SECOND ADDI-  
TION TO THE CITY  
OF  
KLAMATH FALLS, ac-  
cording to the official  
plat thereof on file in  
the office of the County  
Clerk of Klamath Coun-  
ty, 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 pay monthly  
installments as provid-  
ed in the promissory  
note; failed to pay 1998-  
1999 and 1999-2000 Klamath  
County Property  
Taxes.

The sum owing on the  
obligation secured by  
the trust deed is:  
\$23,641.81 plus interest  
at the rate of 9% per  
annum from April 28,  
2000; 1998-1999 and  
1999-2000 Klamath  
County Real Property  
Taxes in the amount of  
\$1,156.00 plus interest,  
plus trustee's fees, at-  
torney's fees, foreclo-  
sure costs and any  
sums advanced by ben-  
eficiary 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 November 3, 2000,  
at  
10:00 o'clock a.m.  
based on standard of  
time established by  
ORS 187.110 at the offic-  
es of Brandsness,  
Brandsness & Rudd,  
P.C., 411 Pine Street,  
Klamath Falls, Oregon.  
Interested persons are  
notified of the right un-  
der ORS 86.753 to have  
this proceeding dis-  
missed and the trust  
deed reinstated by pay-  
ment of the entire

amount then due, other  
than such portion as  
would not then be due  
had no default oc-  
curred, together with  
costs, trustee's and at-  
torney's fees, and by  
curing any other de-  
fault complained of in  
this Notice, at any time  
prior to five days be-  
fore the date last set  
for sale.

Dated: June 19, 2000

/s/ Michael P. Rudd,  
Trustee  
411 Pine Street  
Klamath Falls, OR  
97601

#3420 August 18, 25, 2000  
September 1, 8, 2000

State of Oregon, County of Klamath  
Recorded 10/19/00, at 11:11 a. m.  
In Vol. M00 Page 38133  
Linda Smith,  
County Clerk Fee\$ 41.00