

2000 DEC -6 PM 3: 21

Vol M00 Page 43881

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

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

AFTER RECORDING RETURN TO:

Andrew C. Brandsness
411 Pine Street
Klamath Falls, or 97601

mtc 51419

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:

John T. Bowers and Darlene M. Bowers

Beneficiary

South Valley State Bank, now known as South Valley Bank & Trust

51.00 m

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.

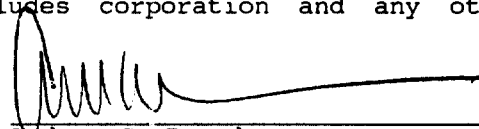
I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known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

See Exhibit "A" attached hereto and incorporated herein by reference.

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 William P. Brandsness; 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 August 9, 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.

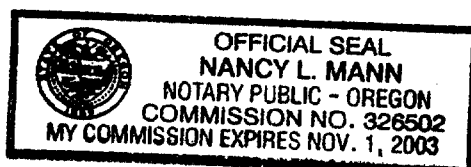
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.



Andrew C. Brandsness

STATE OF OREGON)
) ss. August 9, 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: John T. Bowers and Darlene M. Bowers, Grantor; William P. Brandsness, Trustee; and South Valley State Bank, now known as South Valley Bank & Trust, Beneficiary, recorded in Official/Microfilm Records, Volume M92, Page 9524, Klamath County, Oregon, covering certain real property in Klamath County, Oregon. The real property being sold, which is commonly known as 3427 Washburn Way, Klamath Falls, Oregon, is described as follows:

The Westerly half of the following described parcel, situate in Klamath County, Oregon:

Beginning at the Southwest corner of premises described in Deed from H. M. Mallory and Christine Mallory, husband and wife, to Fremont Glass & Millwork Co., recorded April 14, 1969, in Volume M69, page 2675, Microfilm Records of Klamath County, Oregon; thence South along the East line of Washburn Way 40 feet to the true point of beginning; thence continuing South along the East line of Washburn Way 200 feet to a point; thence East parallel to the South line of said Fremont Glass & Millwork Co. tract to a point on the East line of Lot 3, Block 4, THIRD ADDITION TO ALTAMONT ACRES, which point is South 94.55 feet from the Northeast corner of said Lot 3; thence North along the East line of Lot 2, Block 4, to a point which is 40 feet South of the Northeast corner of Lot 2, Block 4, of said subdivision; thence West parallel to the South line of said Fremont Glass & Millwork Co. tract to the true point of beginning.

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 the installment payments of \$4,043.97 due on May 20, 1999, and each month thereafter; plus late fees of \$20 per month from May 20, 1999, and failed to pay 1994 through 2000 Klamath County real property taxes in the amount of \$13,927.45 plus interest.

The sum owing on the obligation secured by the trust deed is: \$85,808.24 plus interest at the rate of 12.5% per annum from April 22, 1999, until paid, plus late fees of \$20 per month beginning May 20, 1999; 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 December 26, 2000, at 10:00 o'clock a.m. based on standard time established by ORS 187.110 at the Law 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: August 3, 2000.



William P. Brandsness, Trustee
411 Pine Street
Klamath Falls, OR 97601

EXHIBIT "A" TO AFFIDAVIT OF MAILING

John T. Bowers
4500 Cannon
Klamath Falls, OR 97603

Darlene M. Bowers
4500 Cannon
Klamath Falls, OR 97603

Bowers Excavating & Fencing, Inc.
c/o John T. Bowers, Registered Agent
1818 Derby
Klamath Falls, OR 97603

Michael L. Spencer
Attorney at Law
419 Main Street
Klamath Falls, OR 97601

John Mitchell
Bankruptcy Trustee
222 SW Harrison, GO 10
Portland, OR 97201

David B. Mills
Hammons & Mills
115 W. 8th Avenue, Suite 280
Eugene, OR 97401

Office of the U. S. Trustee
Federal Building
211 East 7th Avenue, Room 285
Eugene, OR 97401

SAIF Corporation
400 High Street, SE
Salem, OR 97312

Chief, Special Procedures Section
District Director-Internal Revenue Service
915 Second Avenue M/S 246
Seattle, WA 98174

Oregon Department of Revenue
P. O. Box 14725
Salem, OR 97309-5018

State of Oregon
State Accident Insurance Fund Corp.
1162 Court Street, NE
Salem, OR 97310

CNA Insurance Company
c/o Dun & Bradstreet, Inc. NLSC
P. O. Box 3141
Naperville, IL 60566

State of Oregon Employment Department
875 Union Street, NE Room 107
Salem, OR 97311

Mike Long
Klamath County Tax Collector
305 Main Street
Klamath Falls, OR 97601

Kent Pederson
Carter-Jones Collections, LLC
1143 Pine Street
Klamath Falls, OR 97601

Terry Slade
May-Slade Oil Co.
865 South Spring Street
Klamath Falls, OR 97601

E. Ronald Isakson
Isakson-Steele & Co., LLP
3815 South Sixth Street, Suite 105
Klamath Falls, OR 97603

Clo K. Cone
Molatore, Peugh, McDaniel,
Scroggin & Co., LLP
824 Pine Street
Klamath Falls, OR 97601

Budge-McHugh Supply Company, Inc.
c/o Boyd E. Budge, Registered Agent
125 West 4th
Medford, OR 97501

Pacific North Equipment Co.,
a corporation of Washington
dba Contractors Quarry Supply
c/o C T Corporation System, Inc.,
Registered Agent
520 SW Yamhill, No. 800
Portland, OR 97204

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#3532

Trustee's Notice of Default

John T. Bowers

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:

October 13, 20, 27, 2000

November 3, 2000

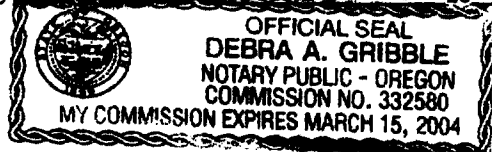
Total Cost: \$499.50

Subscribed and sworn before me this 3rd
day of November 2000

Debra A. Gribble

Notary Public of Oregon

My commission expires March 15 20 04



<p>TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND OF SALE</p>	<p>No action is pending to recover any part of the debt secured by the trust deed.</p> <p>The obligation secured by the trust deed is in default because the grantor has failed to pay the following: Failed to make the installment payments of \$4,043.97 due on May 20, 1999, and each month thereafter; plus late fees of \$20 per month from May 20, 1999, and each month thereafter; plus late fees of \$20 per month from May 20, 1999, and failed to pay 1994 through 2000 Klamath County real property taxes in the amount of \$13,927.45 plus interest.</p> <p>The sum owing on the obligation secured by the trust deed is: \$85,808.24 plus interest at the rate of 12.5% per annum from April 22, 1999, until paid, plus late fees of \$20 per month beginning May 20, 1999; plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.</p> <p>Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.</p> <p>The property will be sold as provided by law on December 26, 2000, at 10:00 o'clock a.m. based on standard time established by ORS 187.110 at the Law Offices of Brandsness, Brandsness & Rudd, P.C., 411 Pine Street, Klamath Falls, Oregon.</p> <p>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 day before</p>	<p>the date last day to sale.</p> <p>Dated: August 3, 2000.</p> <p>s/s/ William P. Brandsness, Trustee</p> <p>411 Pine Street</p> <p>Klamath Falls, OR 97601</p> <p>#3532 October 13, 20, 27, 2000</p> <p>November 3, 2000</p>
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Reference is made to the following Trust Deed: John T. Bowers and Darlene M. Bowers, Grantor; William P. Brandsness, Trustee; and South Valley State Bank, now known as South Valley Bank & Trust, Beneficiary, recorded in Official Microfilm Records, Volume 442, Page 1, Klamath County, Oregon, covering certain real property in Klamath County, Oregon. The real property being sold, which is commonly known as 3427 Washburn Way, Klamath Falls, Oregon, is described as follows:

The Westerly half of the following described parcel, situate in Klamath County, Oregon, Beginning at the southwest corner of premises described in Deed from H. M. Mallory and Christine Mallory, husband and wife, to Fremont Glass & Millwork Co., recorded April 14, 1969, in Volume M69, page 2675, Microfilm Records of Klamath County, Oregon; thence South along the East line of Washburn Way 40 feet to the true point of beginning; thence continuing South along the East line of Washburn Way 200 feet to a point; thence East parallel to the South line of said Fremont Glass & Millwork Co. tract to a point on the East line of Lot 3, Block 4, THIRD ADDITION TO ALTA MONT ACRES, which point is South 94.55 feet from the Northeast corner of said Lot 3; thence North along the East line of Lot 2, Block 4, to a point which is 40 feet South of the Northeast corner of Lot 2, Block 4, of said subdivision; thence West parallel to the South line of said Fremont Glass & Millwork Co. tract to the true point of begin-

**PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS**

43887

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 | |
| <input checked="" type="checkbox"/> <u>Trustee's Notice</u> | | | | |

For the within named: Billy Smith

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: _____
Billy Smith at the address below.

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

☐ 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.

State of Oregon, County of Klamath
Recorded 12/06/00, at 3:21 p. m.
In Vol. M00 Page 43881
Linda Smith,
County Clerk Fee \$ 51⁰⁰

3427 Washburn Way
ADDRESS OF SERVICE STREET

Klamath Falls
CITY

OR
STATE

97603
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.

August 10, 2000
DATE OF SERVICE

4:34 a.m. ☐ p.m. ☒
TIME OF SERVICE

Jeffrey K. Hamer
SIGNATURE