

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

200 DEC 19 PM 3:12

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

K55541

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:

Professional Construction Inc., an Oregon corporation,

Beneficiary

Eric M. Spiess and Meladee Dodds dba M & E Enterprises of Galt

Return to: Brandsness, Brandsness & Rudd, P.C. 411 Pine Street Klamath Falls, Oregon 97601	Clerk's Stamp:
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**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, 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.

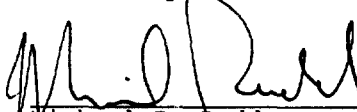
I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known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

See Exhibit "1" attached hereto.

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.

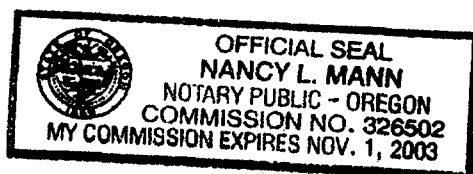
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the trustee Andrew C. Brandsness; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on August 22, 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. August 22, 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: Professional Construction Inc., an Oregon corporation, Grantor; Aspen Title & Escrow, Inc., Trustee; and Eric M. Spiess and Meladee Dodds dba M & E Enterprises of Galt, Beneficiary, recorded in Official/Microfilm Records, Volume M91, Page 4238, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon:

Lot 11 in Block 2, Tract No. 1096, Americana, 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 the full monthly installment due January 5, 1999, and monthly installments thereafter; failed to pay Klamath County Real Property Taxes.

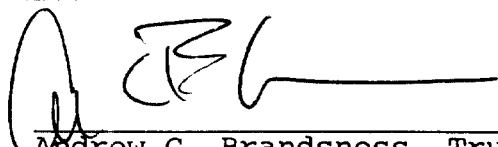
The sum owing on the obligation secured by the trust deed is: The sum of \$84,551.55 plus interest at the rate of 7% per annum from June 1, 1999, until paid; Klamath County real property taxes for the years 1997-1998, 1998-1999 and 1999-2000 in the total amount of \$5,595.64, plus interest, plus trustee's 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 January 4, 2001, 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: August 15, 2000.



Andrew C. Brandsness, Trustee
411 Pine Street
Klamath Falls, OR 97601

Exhibit "1" to Affidavit of Mailing

Robert J. Wise
5648 American Avenue
Klamath Falls, OR 97603

Lynne Wise
5648 American Avenue
Klamath Falls, OR 97603

Professional Construction Inc.
c/o Jearould Caldwell,
Registered Agent
7410 Dehlinger Lane
Klamath Falls, OR 97603

Lloyd D. Caldwell
P. O. Box 372
Malin, OR 97632

Michaela L. Caldwell
P. O. Box 372
Malin, OR 97632

Jearould Caldwell
P. O. Box 372
Malin, OR 97632

Susan Caldwell
P. O. Box 372
Malin, OR 97632

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

SAIF Corporation
400 High Street S.E.
Salem, OR 97312-3000

U. S. Department of Housing
and Urban Development
451 7th Street, SW
Washington, D.C. 20410

T & C Camera & Jewelry, Inc.
c/o Norman Holliday
2848 South 6th Street, Suite #3
Klamath Falls, OR 97603

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

45581

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 | |

☒ Trustee's Notice of Default and Election to Sell and of Sale

For the within named: Occupants of 5648 American Ave.

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

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

☐ 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.

5648 American Avenue
ADDRESS OF SERVICE STREET
Klamath Falls
CITY

UNIT / APT / SPC#

Oregon
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.

Aug. 23, 2000
DATE OF SERVICE

10:30 a.m. ☒ p.m. ☐
TIME OF SERVICE

Dave Shuck
SIGNATURE

45582

BRANDSNESS, BRANDSNESS & RUDD, P.C.

WILLIAM P. BRANDSNESS
ANDREW C. BRANDSNESS
MICHAEL P. RUDD
W. DANIEL BUNCH

Attorneys at Law
411 Pine Street
Klamath Falls, Oregon 97601

Telephone (541) 882-6616
Fax (541) 882-8819

August 24, 2000

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Lynne Wise
5648 American Avenue
Klamath Falls, OR 97603

Re: Trust Deed Foreclosure

Dear Mrs. Wise:

Pursuant to ORCP 7D(2), you are hereby advised that Trustee's Notice of Default and Election to Sell and of Sale, a certified true copy of which is enclosed herewith, was duly served upon Robert J. Wise in your absence at 5648 American Avenue, Klamath Falls, Oregon on August 23, 2000,, at 10:30 a.m.

BRANDSNESS, BRANDSNESS & RUDD, P.C.

/s/ Andrew C Brandsness

Andrew C. Brandsness

AC:nlm
Enclosures
c: M & E Enterprises
m&eent05.008

This contact is an attempt to collect a debt and any information obtained will be used for that purpose.

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Larry L. Wells, Business Manager,
being first duly sworn, despose 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#3552

Trustee's Notice of Default

Eric Spiess

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 20, 27, 2000

November 3, 10, 2000

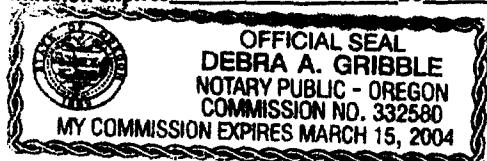
Total Cost: \$351.00

Subscribed and sworn before me this 10th
day of November 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

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State of Oregon, County of Klamath
Recorded 12/19/00, at 3:12 p m.
In Vol. M00 Page 45577
Linda Smith,
County Clerk Fee \$ 56.00