

'01 MAY 31 PM 2:38

Vol M01 Page 25519

**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

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:

Lost River Land and Cattle, Inc., an Oregon corporation,

Beneficiary

James C. McAtee and Sheendanai McAtee, husband and wife,

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:

Lost River Land and Cattle, Inc., an Oregon corporation,
2691 Lakeshore Drive
Klamath Falls, OR 97601

Lost River Land and Cattle, Inc.
c/o Gary Hart
2691 Lakeshore Drive
Klamath Falls, OR 97601

Lost River Land and Cattle, Inc.
c/o Gary Hart
1060 Lakeshore Drive
Klamath Falls, OR 97601

Lost River Land and Cattle, Inc.
c/o Cliff McMillan
1428 Pacific Terrace
Klamath Falls, OR 97601

Clifton H. McMillan, Trustee of the
Clifton H. McMillan III Trust u/d/a 20 December 1991
1428 Pacific Terrace
Klamath Falls, OR 97601

Patsy H. McMillan, Trustee of the
Patsy H. McMillan Trust u/d/a 20 December 1991
1428 Pacific Terrace
Klamath Falls, OR 97601

Richard D. Hart
2719 Troon Circle
Billings, MT 59101

Rebecca A. Hart
2719 Troon Circle
Billings, MT 59101

James Flannigan
5485 Scarsdale Circle North
Hidden Valley, NV 89503

James Flannigan
5485 Scarsdale Circle North
Reno, NV 89502-9696

Forest Products Federal Credit Union
c/o Tim Johnson, CEO
2972 Washburn Way
Klamath Falls, OR 97603

Larry Gieber
812 Prescott Lane
Springfield, OR 97477-3627

Maureen Gieber
812 Prescott Lane
Springfield, OR 97477-3627

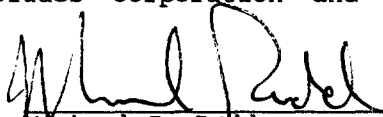
Champion Group, Inc.
c/o Gregg McDermott, Registered Agent
67133 Fryrear Road
Bend, OR 97701

Sharon K. Banta, Trustee of the
Sharon K. Banta Trust dated
May 20, 1997
61220 Witam Court
Bly, OR 97622

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.

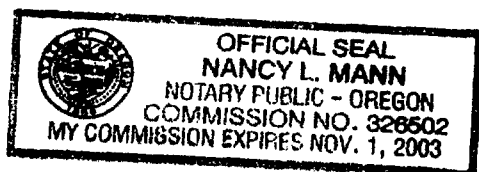
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the trustee Andrew C. Brandsness; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on January 30, 2001. 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. January 30, 2001.
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: Lost River Land and Cattle, Inc., an Oregon corporation, Grantor; Aspen Title & Escrow, Inc., Trustee; and James C. McAtee and Sheendanai McAtee, husband and wife, Beneficiary, recorded in Official/Microfilm Records, Volume M96, Page 28672, Klamath County, Oregon, covering certain real property in Klamath County, Oregon. The real property being sold, is described as follows:

Lots 21B, 22B, and 23B, LAKESHORE GARDENS, IN THE COUNTY
OF KLAMATH, STATE OF 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 the annual payment of \$6,173.51 due September 11, 2000; failed to pay Klamath County Real Property taxes for 1997-98, 1998-99, 1999-2000 and 2000-2001 in the total amount of \$1,095.60.

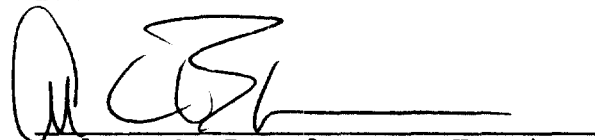
The sum owing on the obligation secured by the trust deed is: The principal sum of \$65,617.65 plus interest at the rate of 8% per annum from November 22, 2000, until paid; delinquent interest of \$4,066.58, late charges of \$617.36; Klamath County Real Property Taxes in the amount of \$1,095.60 plus 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 June 15, 2001, 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: January 24, 2001.



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



PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

25523

STATE OF OREGON

COUNTY OF Klamath

COURT CASE NO. N/A

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 | |
- ☒ Trustees Notice

For the within named: Occupants of 4769 Weyerhaeuser Road

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

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

☐ 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.

4769 Weyerhaeuser Road
ADDRESS OF SERVICE STREET UNIT / APT / SPC#
Klamath Falls Oregon 97601
CITY STATE 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.

Feb 2, 2001 6:10 a.m. ☐ p.m. ☒ Troy W. Garrison
DATE OF SERVICE TIME OF SERVICE SIGNATURE

or not found
PRINTED IN OREGON

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

February 8, 2001

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Michael Willhite
 4769 Weyerhaeuser Road
 Klamath Falls, OR 97601

Re: McAtee- Lost River Land and Cattle Foreclosure

Dear Mr. Willhite:

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 Linda Willhite in your absence at 4769 Weyerhaeuser Road, Klamath Falls, Oregon, on February 2, 2001, at 6:10 p.m.

BRANDSNESS, BRANDSNESS & RUDD, P.C.

W. Daniel Bunch

WDB:nlm
 Enclosures

Is your RETURN ADDRESS completed on the reverse side?

SENDER: <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery	
3. Article Addressed to: Michael Willhite 4769 Weyerhaeuser Road Klamath Falls, OR 97601		4a. Article Number 7000 0520 0012 5825 5189	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
		7. Date of Delivery 2-7-01	
5. Received By: (Print Name) Linda Willhite		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature (Addressee or Agent) mcatja01			

Thank you for using Return Receipt Service.

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#3913

Trustee's Notice of Default

Lost River Land and Cattle

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

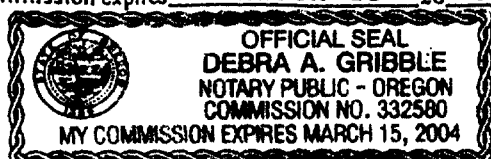
(4) insertion(s) in the following issues:
April 1, 8, 15, 22, 2001

Total Cost: \$432.00

Subscribed and sworn before me this 22nd
day of April 20 01

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15 20 04



THIS IS AN
ATTEMPT TO
COLLECT A DEBT.
ANY
INFORMATION
OBTAINED WILL
BE USED FOR
THAT PURPOSE

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

Reference
is made to the fol-
lowing Trust Deed:
Lost River Land and
Cattle, Inc., an Ore-
gon corporation,
Grantor; Aspen Ti-
tle & Escrow, Inc.,
Trustee; and James
C. McAtee and
Sheendanai McAtee,
husband and wife,
Beneficiary, record-
ed in Official/Micro-
film Records, Vol-
ume M96, Page
28672, Klamath
County, Oregon,
covering certain real
property in Klamath
County, Oregon. The real prop-
erty being sold, is
described as fol-
lows:

LOTS 21B,
22B, and 23B,
LAKE SHORE GAR-
DENS, IN THE
COUNTY OF KLA-
MATH, STATE OF
OREGON.

No action is pending
to recover any part
of the debt secured
by the trust deed.
The obligation se-
cured by the trust
deed is in default be-
cause the grantor
has failed to pay the
following: Failed to
make the annual
payment of \$6,173.51
due September 11,
2000; failed to pay
Klamath County Real
Property taxes
for 1997-98, 1998-99,
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The sum owing on
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rate of 8% per an-
num from Novem-

ber 22, 2000, until
paid; delinquent in-
terest of \$4,066.58,
late charges of
\$617.36; Klamath
County Real Prop-
erty Taxes in the
amount of \$1,095.60
plus interest, plus
trustee's fees, attor-
ney's fees, foreclo-
sure 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 pur-
suant to ORS 86.705
to 86.795.

The property will be
sold as provided by
law on June 15, 2001,

at 10:00 o'clock a.m.
based on standard of
time established by
ORS 187.110 at the
Offices of Brands-
ness, 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 dis-
missed and the trust
deed reinstated by
payment of the en-
tire amount then
due, other than such
portion as would not
then be due had no
default occurred, to-
gether with costs,
trustee's and attor-
ney's fees, and by
curing any other de-
fault complained of
in this Notice, at
any time prior to
five days before the
date last set for
sale.

Dated: January 24,
2001.

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

541-882-6616
#3913 April 1, 8, 15,
22, 2001

State of Oregon, County of Klamath
Recorded 05/31/01, at 2:38 p.m.
In Vol. M01 Page 25519
Linda Smith,
County Clerk Fee \$ 61⁰⁰