

01 SEP 5 PM 3:30

Vol MQ1 Page 45169

**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:

Michael P. Rudd
411 Pine Street
Klamath Falls, or 97601

K54652

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:

Charles J. Miller and Joan R. Miller

Beneficiary

Timm Burr, Inc.

*50
K46*

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, William P. 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:

Charles J. Miller
P. O. Box 668
Chiloquin, OR 97624

Joan R. Miller
P. O. Box 668
Chiloquin, OR 97624

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

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

Ronald M. Pettijohn
c/o Michael L. Spencer
Attorney at Law
419 Main Street
Klamath Falls, OR 97601

Pamela G. Pettijohn
c/o Michael L. Spencer
Attorney at Law
419 Main Street
Klamath Falls, OR 97601

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 May 14, 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.

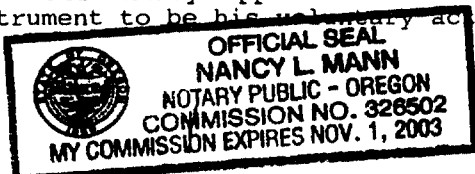
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.


William P. Brandsness

STATE OF OREGON)
) ss.
County of Klamath)

May 14, 2001.

Personally appeared William P. 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

45171

**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, 1998-1999, 1999-2000, and 2000-2001 Klamath County Real Property Taxes.

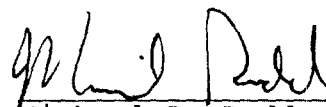
The sum owing on the obligation secured by the trust deed is: The sum of \$12,814.23 plus interest at the rate of 9% per annum from September 22, 2000, until paid; plus delinquent interest in the amount of \$243.70, previous foreclosure costs in the amount of \$512.40; and 1997-1998, 1998-1999, 1999-2000, and 2000-2001 Klamath County Real Property Taxes in the amount of \$652.55 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 September 21, 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: May 9, 2001.



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

Affidavit of Publication

45172

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 #4215

We are Attempting to Collect a Debt

Charles J. Miller

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for: (4)

Four

Insertion(s) in the following issues:

July 9-16-23-30, 2001

Total Cost:

\$445.50

Larry L. Wells
Subscribed and sworn before me this

day of:

July 30, 2001

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004

WE ARE AT-
TEMPTING TO
COLLECT A DEBT
AND ANY INFOR-
MATION OB-
TAINED WILL BE
USED FOR THAT
PURPOSE.

TRUSTEE'S NO-
TICE 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 Compa-
ny, Official/Micro-
film Records, Vol-
ume M97, Page 247,
Klamath County,
Oregon, covering
the following describ-
ed real property in
Klamath County,
Oregon:

The N 1/2 SE 1/4
NW 1/4 NE 1/4 of
Section 28, Township
34 South, Range 7
East of the Willam-
ette Meridian, Kla-
math County, Ore-
gon.

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 regular
monthly payments
of \$150; failed to pay
1997-1998, 1998-1999,
1999-2000, and 2000-
2001 Klamath County
Real Property
Taxes.

The sum owing on
the obligation se-
cured by the trust
deed is: the sum of
\$12,814.23 plus inter-
est at the rate of 9%
per annum from
September 22, 2000,
until paid; plus de-
linquent interest in
the amount of
\$243.70, previous
foreclosure costs in
the amount of
\$512.40; and 1997-
1998, 1998-1999, 1999-
2000, and 2000-2001
Klamath County Re-
al Property Taxes in
the amount of
\$652.55 plus interest
until paid, 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.

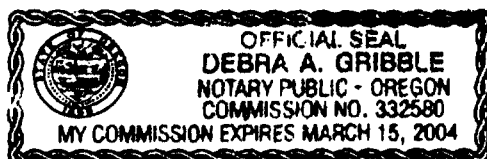
The property will be
sold as provided by
law on September
21, 2001, at 10
o'clock a.m. based
on standard of time
established by ORS
187.110 at the Offices
of Brandsness,
Brandsness & Rudd,
P.C., 411 Pine
Street, Klamath
Falls, Oregon.

Interested persons
are notified of the
right under ORS
86.753 to have this
proceeding dis-
missed and the trust
deed reinstated by

payment of the en-
tire amount the
due, other than suc-
portion as would not
then be due had no
default occurred, to-
gether with costs
trustee's and attor-
ney's fees, and b-
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: May 9
2001.

/s/ Michael P
Rudd, Trustee
411 Pine Street
Klamath Falls, OR
97601
#4215 July 9, 16, 23,
30, 2001



45173

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

Clerk's Stamp:

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath)

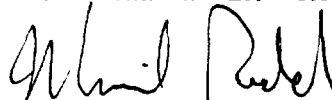
I, Michael P. Rudd, being first duly sworn, depose, say and certify that:

I am the trustee in that certain trust deed executed and delivered by Charles J. Miller and Joan R. Miller as grantor to Klamath County Title Company as trustee in which Timm Burr, Inc. is beneficiary, recorded on January 6, 1997, in the mortgage records of Klamath, Oregon, in book/volume No. M97 at page 247, covering the following described real property situated in said county:

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

I hereby certify that on May 10, 2001, the above described real property was not occupied.

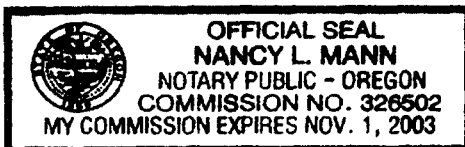
The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.



Michael P. Rudd

STATE OF OREGON)
) ss.
County of Klamath)

June 4, 2001.

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

45174

**JEFFERSON STATE ADJUSTERS
RECOVERY IS OUR BUSINESS**

1135 Pine Street
Klamath Falls, Oregon 97601
Phone: (541) 882-8036 Fax: (541) 883-2129

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON
COUNTY OF KLAMATH

I, TROY W. GARRISON, being first duly sworn, depose and say: That I am and have been at all material times hereto, a competent person over the age of eighteen years and a resident of the county of KLAMATH, State of Oregon. I am not a party to, an attorney for, or interested in any suit or action involving the property described below.

That on the 15th day of May, 2001, after personal inspection, I found the following described real property to be unoccupied.

State of Oregon, County of Klamath
Recorded 09/05/01 at 2:30p m.
In Vol. M01 Page 45169
Linda Smith,
County Clerk Fee \$ 56.00

Commonly described as (Street address) 40940 HIGHWAY 97 NORTH

CHILOQUIN, OR 97624

I declare under the penalty of perjury that the above statements are true and correct.

Troy W. Garrison 5-22-01
(TROY W. GARRISON)

Subscribed and Sworn to before me this 22nd day of May, 2001.



Margaret A. Nielsen
NOTARY PUBLIC OF OREGON
MY COMMISSION EXPIRES: 4-12-04