

**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 93687

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:

Beth E. Deaver

Beneficiary

South Valley Bank & Trust

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:

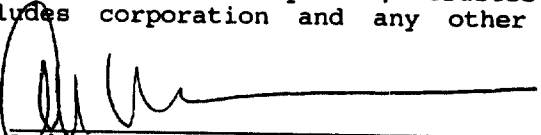
Beth E. Deaver
10610 Hill Road
Klamath Falls, OR 97601

Klamath Irrigation District
Attn: Cindy E. Cherry
Office Manager
6640 KID Lane
Klamath Falls, OR 97603

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 me; 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 July 2, 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.

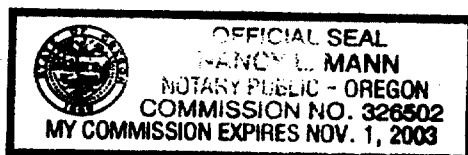
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.




Andrew C. Brandsness

STATE OF OREGON)
) ss. July 2, 2001.
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
(AMENDED)**

Reference is made to the following Trust Deed: Beth E. Deaver, Grantor; William P. Brandsness, Trustee; and South Valley Bank & Trust, Beneficiary, recorded in Official/Microfilm Records, Volume M96, Page 33633, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, commonly known as 10610 Hill Road, Klamath Falls, Oregon:

See attached Exhibit "A"

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 payment of principal and interest payable at maturity on January 1, 2001; failed to pay Klamath Irrigation District lien of \$1,489.14 and \$1,729.60, respectively.

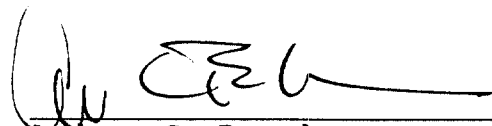
The sum owing on the obligation secured by the trust deed is: The sum of \$400,000 plus interest at 10.5% per annum from March 19, 2001, until paid, plus delinquent interest of \$35,481.75; Klamath Irrigation District lien of \$1,489.14 and \$1,729.60, respectively, plus trustee's fees, attorney's fees, 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 16, 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: June 22, 2001.



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

Beginning at the Southeast corner of the Southeast quarter of the Southeast quarter (SE1/4 SE1/4) of Section 31, Township 39 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon; running thence West on the South line of said Section 31 to West line of Government Lot 7 said Section 31; thence North with meander line on the East side of Lost River to a point on said meander line 7 chains and 68 links North of said Section line; thence in an easterly direction to the Northeast corner of the Southeast quarter of the Southeast 1/4 of said Section 31; thence South twenty chains to the place of beginning, being a portion of the S1/2 SE1/4 and Lot 7, Section 31, in Township 39 South;, Range 10 East, of the Willamette Meridian. EXCEPTING THEREFROM such portions as have been heretofore deeded to the United States of America for canal rights of way. ALSO EXCEPTING that portion thereof deeded to Great Northern Railway Company for railroad rights of way by deed dated June 10, 1931, recorded June 13, 1931, in Volume 95 on page 454, Deed Records of Klamath County, Oregon.

That portion of the SW1/4 SW1/4 of Section 32, Township 39 South, Range 10, East of the Willamette Meridian, Westerly of the right of way of the "G" Canal.

NE1/4 NE1/4, Government Lots 7, 8 and 9, Section 6, Township 40 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon, SAVING AND EXCEPTING those portions deeded to the United States of America for canal purposes and to Great Northern Railway Company for railroad rights of way.

ALSO SAVING AND EXCEPTING that portion of the NE1/4 NE1/4 of Section 6, Township 40 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon, lying East of the "G" Canal.

AND EXCEPTING THEREFROM that portion of Government Lot 7 in said Section 6 conveyed to Edwa R. Stuedli and Pauline H. Stuedli as Trustees of the Black Oak Ranch Trust by Deed recorded April 6, 1998 in Volume M98 at Page 11176, described as follows:

The SW1/4 of the NE1/4 and the SE1/4 of the NW1/4 lying Easterly of Lost River (also known as a portion of Government Lot 7), in Section 6, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

56256

Return to: Brandsness, Brandsness & Rudd, P.C. 411 Pine Street Klamath Falls, Oregon 97601	Clerk's Stamp:
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AFFIDAVIT OF SERVICE ON OCCUPANT

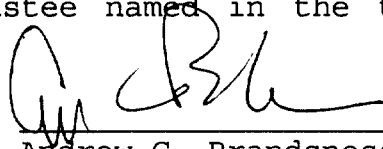
STATE OF OREGON)
) ss.
County of Klamath)

I, Andrew C. Brandsness, being first duly sworn, depose, say and certify that:

I am the attorney for the trustee in that certain trust deed executed and delivered by Beth E. Deaver as grantor to William E. Brandsness as trustee in which South Valley Bank & Trust is beneficiary, recorded on October 23, 1996, in the mortgage records of Klamath County, Oregon, in book/volume No. M96 at page 33633.

I hereby certify that on July 10, 2001, the occupant(s) of the real property described in the afore-mentioned trust deed were served with a true copy of the attached Trustee's Notice of Default and Election to Sell and of Sale. The original return of service is also attached hereto.

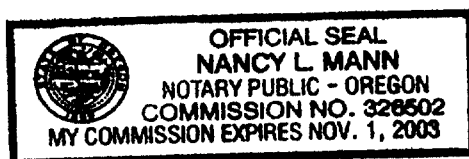
The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.

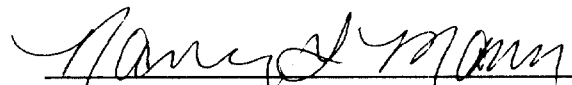


Andrew C. Brandsness

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared before me this 30 day of October, 2001, Andrew C. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.




Notary Public for Oregon
My Commission expires: 11-1-03

**TRUSTEE'S NOTICE OF DEFAULT
AND ELECTION TO SELL AND OF SALE
(AMENDED)**

Reference is made to the following Trust Deed: Beth E. Deaver, Grantor; William P. Brandsness, Trustee; and South Valley Bank & Trust, Beneficiary, recorded in Official/Microfilm Records, Volume M96, Page 33633, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, commonly known as 10610 Hill Road, Klamath Falls, Oregon:

See attached Exhibit "A"

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 payment of principal and interest payable at maturity on January 1, 2001; failed to pay Klamath Irrigation District lien of \$1,489.14 and \$1,729.60, respectively.

The sum owing on the obligation secured by the trust deed is: The sum of \$400,000 plus interest at 10.5% per annum from March 19, 2001, until paid, plus delinquent interest of \$35,481.75; Klamath Irrigation District lien of \$1,489.14 and \$1,729.60, respectively, 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 16, 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: June 28, 2001.



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

EXHIBIT "A"

Beginning at the Southeast corner of the Southeast quarter of the Southeast quarter (SE1/4 SE1/4) of Section 31, Township 39 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon; running thence West on the South line of said Section 31 to West line of Government Lot 7 said Section 31; thence North with meander line on the East side of Lost River to a point on said meander line 7 chains and 68 links North of said Section line; thence in an easterly direction to the Northeast corner of the Southeast quarter of the Southeast 1/4 of said Section 31; thence South twenty chains to the place of beginning, being a portion of the S1/2 SE1/4 and Lot 7, Section 31, in Township 39 South; Range 10 East, of the Willamette Meridian. EXCEPTING THEREFROM such portions as have been heretofore deeded to the United States of America for canal rights of way. ALSO EXCEPTING that portion thereof deeded to Great Northern Railway Company for railroad rights of way by deed dated June 10, 1931, recorded June 13, 1931, in Volume 95 on page 454, Deed Records of Klamath County, Oregon.

That portion of the SW1/4 SW1/4 of Section 32, Township 39 South, Range 10, East of the Willamette Meridian, Westerly of the right of way of the "G" Canal.

NE1/4 NE1/4, Government Lots 7, 8 and 9, Section 6, Township 40 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon, SAVING AND EXCEPTING those portions deeded to the United States of America for canal purposes and to Great Northern Railway Company for railroad rights of way.

ALSO SAVING AND EXCEPTING that portion of the NE1/4 NE1/4 of Section 6, Township 40 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon, lying East of the "G" Canal.

AND EXCEPTING THEREFROM that portion of Government Lot 7 in said Section 6 conveyed to Edward R. Stuedli and Pauline H. Stuedli as Trustees of the Black Oak Ranch Trust by Deed recorded April 6, 1998 in Volume M98 at Page 11176, described as follows:

The SW1/4 of the NE1/4 and the SE1/4 of the NW1/4 lying Easterly of Lost River (also known as a portion of Government Lot 7), in Section 6, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

56259

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 | |

☒ Trustee's Notice of Sale

For the within named: unknown occupants of 10610 Hill Road

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

☐ SUBSTITUTE SERVICE: By delivering an Original or True Copy to Kelly Brown, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: T.S. Brown (spouse)

☐ 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.

10610 Hill Road

ADDRESS OF SERVICE

STREET

UNIT / APT. / SPC#

Klamath Falls

CITY

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.

July 10, 2001

DATE OF SERVICE

3:35 a.m. ☐ p.m. ☒

TIME OF SERVICE

[Signature]

SIGNATURE

or not found
PRINTED IN OREGON

Dave Shuck

56260

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

July 16, 2001

T. J. Brown
10610 Hill Road
Klamath Falls, OR 97601

Re: South Valley Bank & Trust - Beth E. Deaver Foreclosure

Dear Mr. Brown:

Pursuant to ORCP 7D(2)(b), you are hereby advised that the Trustee's Notice of Default and Election to Sell and of Sale in the aforementioned matter, a certified true copy of which is enclosed herewith, was duly served upon Kelli Brown in your absence at 10610 Hill Road, Klamath Falls, Oregon, on July 10, 2001, at 3:35 p.m.

BRANDSNESS, BRANDSNESS & RUDD, P.C.

Andrew C. Brandsness

ACB:nlm
Enclosures
c: William E. Castle
Enter client coding

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

Affidavit of Publication

56261

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 # 4328

Notice of Sale/Deaver

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:
September 3, 10, 17, 24, 2001

Total Cost: \$756.00

Larry L. Wells
Subscribed and sworn
before me on: September 24, 2001

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND OF SALE (AMENDED)

We are attempting to collect a debt. Any information obtained will be used for that purpose.

Reference is made to the following Trust Deed: Beth E. Deaver, Grantor; William P. Brandsness, Trustee; and South Valley Bank & Trust, Beneficiary, recorded in Official/Microfilm Records, Volume M96, Page 33633, Klamath County, Oregon, covering the following-described real property in Klamath county, Oregon, commonly known as 10610 Hill Road, Klamath Falls, Oregon:

EXHIBIT "A"
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Township 39 South; Range 10 East, of the Willamette Meridian: EXCEPTING THEREFROM such portions as have been heretofore deeded to the United States of America for canal rights of way. ALSO EXCEPTING that portion thereof deeded to Great Northern Railway Company for railroad rights of way by deed dated June 10, 1931, recorded June 13, 1931, in Volume 95 on page 454, Deed Records of Klamath County, Oregon.

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NE 1/4 NE 1/4, Government Lots 7, 8, and 9, Section 6, Township 40 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon, SAVING AND EXCEPTING those portions deeded to the United States of America for canal purposes and to Great Northern Railway Company for railroad rights of way.

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6, 1998 in Volume M98 at Page 11176, described as follows: The SW 1/4 of the NE 1/4 of the NW 1/4 lying Easterly of Lost River (also known as a portion of Government Lot 7), in Section 6, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

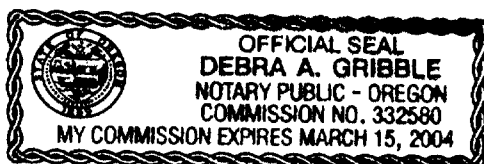
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Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on November 16, 2001, at 10:00 o'clock AM based on standard of time es-



56262

State of Oregon, County of Klamath

Recorded 11/02/01 11:14a m.

In Vol. M01 Page 56252

Linda Smith,

County Clerk Fee\$ 8.00

Published 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 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: June 28,
2001. Andrew C.
Brandsness, Attor-
ney for Trustee, 411
Pine St., Klamath
Falls, OR 97601.
#4328 September 3,
10, 17, 24, 2001.