

02 DEC 12 AM 11:21

Vol M02 Page 72347

RETURN TO:  
Brandsness, Brandsness & Rudd, P.C.  
411 Pine Street  
Klamath Falls, OR 97601

State of Oregon, County of Klamath  
Recorded 12/12/2002 11:21 a m.  
Vol M02, Pg 72347-50  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

**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:

Stanley R. Reddick  
9112 Terramore Drive  
Orangeville, CA 95662

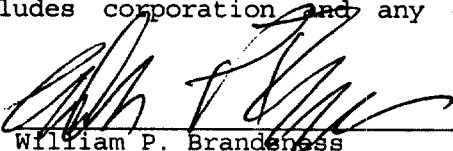
Nicholett J. O'Herin  
9112 Terramore Drive  
Orangeville, CA 95662

Klamath Falls Forest Estates,  
Unit 4, Road Maintenance Association  
c/o Wilma Waddell, Registered Agent  
34924 Gibbon Lane  
Bonanza, OR 97623

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.

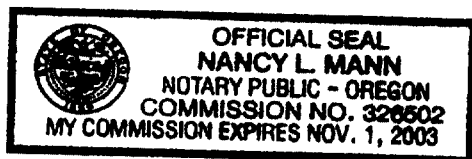
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the trustee Andrew C. Brandsness; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on August 16, 2002. 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                     )

Personally appeared before me this 16 day of August, 2002, William P. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed. :



  
Nancy L. Mann  
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 a certain trust deed ("Trust Deed") made, as follows:

Stanley R. Reddick and Nicholett J. O'Herin, husband and wife, Grantor; Aspen Title and Escrow Company, Inc., Trustee; and Robert V. Wethern, Sr., Beneficiary, recorded in Official/Microfilm Records, Volume M98, Page 42380, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon ("Property"):

Lot 21, Block 94, Klamath Falls Forest Estates Highway 66 Unit, Plat No. 4, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

The defaults for which foreclosure is made is grantor's failure to pay when due the following sums:

Failure to make monthly payments of \$105.72 on November 20, 2001, and the 20th day of each month thereafter; failure to pay Klamath County Real Property taxes for the year 2001-2002 in the amount of \$55.55; failure to pay Klamath Falls Forest Estates Unit 4 Road Maintenance Assessment in the amount of \$56.54.

By reason of said defaults, the beneficiary has declared all sums owing on the obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:


The sum of \$6,387.199, plus interest thereon at the rate of 10% per annum from October 20, 2001, until paid; 2001-2002 Klamath County Real Property taxes in the amount of \$55.55 plus interest and penalties; Klamath Falls Forest Estates Unit 4 Road Maintenance Assessment in the amount of \$56.54, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.

WHEREFORE, notice hereby is given that the undersigned trustee will, on December 30, 2002, at the hour of 10:00 o'clock a.m. o'clock a.m., in accord with the standard of time established by ORS 187.110, at the following place: Office of Brandsness, Brandsness & Rudd, P.C., 411 Pine Street, Klamath Falls, Oregon, sell at public auction to the highest bidder for cash the interest in the above-described Property, which the grantor had or had power to convey at the time of the execution by grantor of the said Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations thereby secured and the costs and expenses of sale, including a reasonable charge b the trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or Trust Deed, and in addition to paying said sum or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes each and every grantor, any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said Deeds of Trust, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

**THIS IS A COMMUNICATION FROM A DEBT COLLECTOR**

Dated: August 14, 2002.



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

STATE OF OREGON                    )  
  ) ss.  
County of Klamath                )

I, the undersigned, certify that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

\_\_\_\_\_  
Andrew C. Brandsness, Trustee

RETURN TO:  
 Brandsness, Brandsness & Rudd, P.C.  
 411 Pine Street  
 Klamath Falls, OR 97601

**TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY**

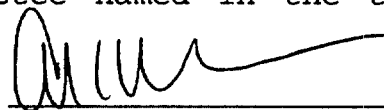
STATE OF OREGON           )  
                                   ) ss.  
 County of Klamath       )

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

I am the trustee in that certain trust deed executed and delivered by Stanley R. Reddick and Nicholett J. O'Herin, husband and wife as grantor to Aspen Title and Escrow Company, Inc. as trustee in which Robert V. Wethern, Sr. is beneficiary, recorded on November 18, 1998 in the mortgage records of Klamath, Oregon, in book/volume No. M98 at page 42380.

I hereby certify that on August 15, 2002, the real property described in the afore-mentioned trust deed was not occupied.

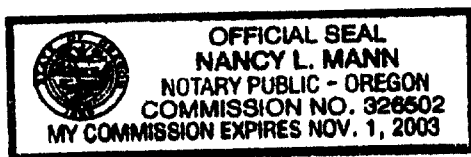
The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.

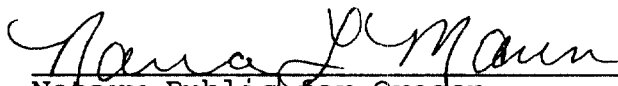


Andrew C. Brandsness

STATE OF OREGON           )  
                                   ) ss.  
 County of Klamath       )

Personally appeared before me this 16 day of August, 2002, 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

# Affidavit of Publication

72350

## 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 # 5255

Notice of Sale/Reddick-O'Herin

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:  
October 16, 23, 30, November 6, 2002

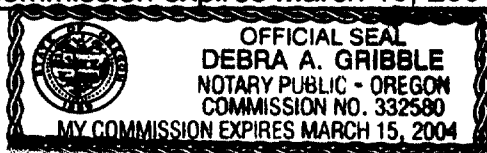
Total Cost: \$634.50

Subscribed and sworn

before me on: November 6, 2002

Notary Public of Oregon

My commission expires March 15, 2004



We are attempting to collect a debt. Any information received by the creditor should be used for that purpose.

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

Reference is made to a certain trust deed ("Trust Deed") made, as follows: Stanley R. Reddick and Nicholas O'Herin, husband and wife, Grantor; Aspen Title and Escrow Company, Inc., Trustee; and Robert V. Wetherly, Sr., Beneficiary, recorded in Official/Microfilm Records, Volume M98, Page 42380, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon: ("Property") 3 Lot 21, Block 94, Klamath Falls Forest Estates Highway 66 Unit, Plat No. 4, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

The defaults for which foreclosure is made is grantor's failure to pay when due the following sums: Failure to make monthly payments of \$105.72 on November 20, 2001, and the 20th day of each month thereafter; Failure to pay Klamath County Real Property taxes for the year 2001-2002 in the amount of \$55,555; Failure to pay Klamath Falls Forest Estates Unit 4 Road Maintenance Assessment in the amount of \$56.54.

By reason of said defaults, the beneficiary has declared

the obligations secured by said Trust Deed immediately due and payable, said sums being the following, to wit: The sum of \$6,387.19, plus interest thereon at the rate of 10% per annum from October 20, 2001, until paid; 2001-2002 Klamath County Real Property taxes in the amount of \$55,555, plus interest and penalties; Klamath Falls Forest Estates Unit 4 Road Maintenance Assessment in the amount of \$56.54, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 30, 2002, at the hour of 10:00 AM in accordance with the standard of time established by ORS 167.010, in the following place: Office of Brandsness, Brandsness & Rudd, P.C., 411 Pine Street, Klamath Falls, Oregon, sell at public auction to the highest bidder for cash the interest in the above-described property, which the grantor had or had power to convey at the time of the execution by grantor of the said Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86-753 has the right

at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by ten days performance of the obligation on the Trust Deed, and in addition to paying said sum or tendering performance necessary to cure

the default, the paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86-753. In construing this notice, the singular includes the plural, the word "grantor" includes each and every grantor, any successor in interest to the grantor, as well as any other person owing an obligation, the performance of which is secured by said Deeds of Trust, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. Dated: August 14, 2002. Andrew C. Brandsness, Trustee, 411 Pine Street, Klamath Falls, OR 97601. 5255 October 16, 23, 30, November 6, 2002.