

04 AUG 24 AM 11:15

MTL - 64653

Vol M04 Page 56033

**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.

State of Oregon, County of Klamath  
Recorded 08/24/04 11:15a m  
Vol M04 Pg 56033-39  
Linda Smith, County Clerk  
Fee \$ 61.00 # of Pgs 7

**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:**

**Karen Archuleta**

**Beneficiary**

**Tina M. Pettit**

57.00  
710.00 AM

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

**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 B. 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:

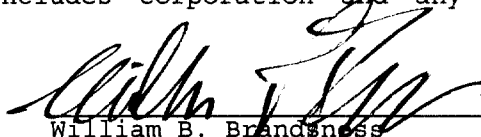
Karen Archuleta  
 3644 Flint Street  
 Klamath Falls, OR 97601

Carter-Jones Collections, LLC  
 c/o Kent Pederson, Registered Agent  
 1143 Pine 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.

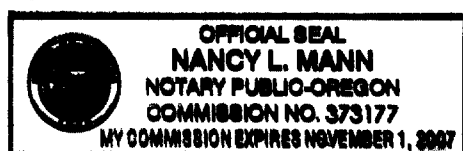
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the trustee Andrew C. Brandsness; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on April 21, 2004. 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 B. Brandsness

STATE OF OREGON                    )  
   ) ss.  
 County of Klamath                )

Personally appeared before me this 21 day of April, 2004, William B. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.



  
 Notary Public for Oregon  
 My Commission expires: 11-1-07

**WE ARE ATTEMPTING TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

**56035**

**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:

Karen Archuleta, Grantor; AmeriTitle, Trustee; and Tina M. Pettit, Beneficiary, recorded in Official/Microfilm Records, Volume M00, Page 27719, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, commonly known as 3644 Flint Street, Klamath Falls, Oregon ("Property"):

Lot 3, Block 7, LENOX, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

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

Failed to make the December 2003 payment, subsequent monthly payments and late fees; failed to pay in full 2001-2002 Klamath County Real Property Taxes; failed to pay 2002-2003 and 2003-2004 Klamath County Real Property Taxes.

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 \$29,247.66 principal, plus interest thereon at the rate of 10% per annum from March 31, 2004 until paid; \$791.71 delinquent interest and late fees, and Klamath County Real Property Taxes in the amount of \$1,128.10 plus interest and penalties, 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 September 9, 2004, at the hour of 10:00 o'clock a.m., in accord with the standard of time established by ORS 187.110, at the following place: Offices of Brandsness, Brandsness, Rudd & Bunch, 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 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.

Dated: April 19, 2004.



Andrew C. Brandsness, Successor 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, Successor Trustee

# Affidavit of Publication

56036

## STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, 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 I know from my personal knowledge that the

Legal # 6790

Notice of Sale/Archuleta

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:  
June 25, July 2, 9, 16, 2004

Total Cost: \$700.00

Subscribed and sworn

before me on: July 16, 2004

Notary Public of Oregon

My commission expires March 15, 2008

### 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:

Karen Archuleta, Grantor; AmeriTitle, Trustee; and Tina M. Pettit, Beneficiary, recorded in Official/Microfilm Records, Volume M00, Page 27719, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, commonly known as 3644 Flint Street, Klamath Falls, Oregon ("Property"):

Lot 3, Block 7, LE-NOX, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

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

Failed to make the December 2003 payment, subsequent monthly payments and late fees; failed to pay in full 2001-2002 Klamath County Real Property Taxes; failed to pay 2002-2003 and 2003-2004 Klamath County Real Property Taxes.

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 \$29,247.66 principal, plus interest thereon

at the rate of 10% per annum from March 31, 2004 until paid; \$791.71 delinquent interest and late fees, and Klamath County Real Property Taxes in the amount of \$1,128.10 plus interest and penalties, 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 September 9, 2004, at the hour of 10:00 o'clock a.m., in accordance with the standard of time established by ORS 187.110, at the following place: Offices of Brandsness, Brandsness, Rudd & Bunch, 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 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.

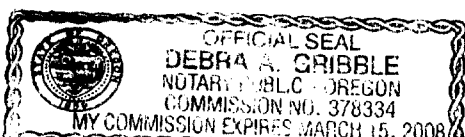
Dated:  
April 19, 2004.

/s/ Andrew C. Brandsness,  
Successor Trustee

411 Pine Street  
Klamath Falls,  
OR 97601  
STATE OF  
OREGON,  
County of Klamath)  
ss.

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

/s/ Andrew C. Brandsness,  
Successor Trustee.  
#6790 June 25, July 2, 9, 16, 2004.



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

56037

**TRUSTEE'S 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 trustee in that certain trust deed executed and delivered by Karen Archuleta as grantor to AmeriTitle as trustee in which Tina M. Pettit is beneficiary, recorded on July 28, 2000 in the mortgage records of Klamath, Oregon, in book/volume No. M00 at page 27719, covering the following described real property situated in said county:

Lot 3, Block 7, LENOX, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

I hereby certify that on April 28, 2004 the occupant(s) of the above-described real property were served with a true copy of the attached Notice of Default and Election to Sell and of Sale. A copy of the return of service is attached hereto.

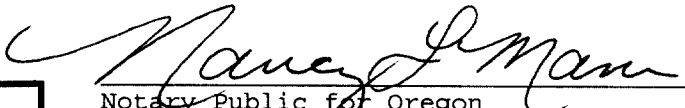
The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.

  
\_\_\_\_\_  
Andrew C. Brandsness

STATE OF OREGON     )  
                              ) ss.  
County of Klamath )

Personally appeared before me this 23 day of August, 2004, Andrew C. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.



  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires: 11-1-07

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:

Karen Archuleta, Grantor; AmeriTitle, Trustee; and Tina M. Pettit, Beneficiary, recorded in Official/Microfilm Records, Volume M00, Page 27719, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, commonly known as 3644 Flint Street, Klamath Falls, Oregon ("Property"):

Lot 3, Block 7, LENOX, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

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

Failed to make the December 2003 payment, subsequent monthly payments and late fees; failed to pay in full 2001-2002 Klamath County Real Property Taxes; failed to pay 2002-2003 and 2003-2004 Klamath County Real Property Taxes.

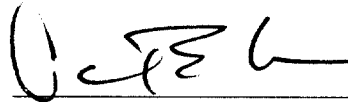
By reason of said defaults, the beneficiary has declared all sums owing on the obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:

The sum of \$29,247.66 principal, plus interest thereon at the rate of 10% per annum from March 31, 2004 until paid; \$791.71 delinquent interest and late fees, and Klamath County Real Property Taxes in the amount of \$1,128.10 plus interest and penalties, 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 September 9, 2004, at the hour of 10:00 o'clock a.m., in accord with the standard of time established by ORS 187.110, at the following place: Offices of Brandsness, Brandsness, Rudd & Bunch, 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 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.

Dated: April 19, 2004.



Andrew C. Brandsness, Successor 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, Successor Trustee

**PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS**

STATE OF: OREGON  
COUNTY OF: KLAMATH

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: **TRUSTEE'S NOTICE OF SALE**

FOR THE WITHIN NAMED: **All Occupants of 3644 Flint Street / Karen Archuleta**

**XPERSONALLY SERVED:** Original or True Copy to within named, personally and in person to Karen Archuleta at the address below.

**X SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Karen Archuleta, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Randy Archuleta

☐ **OTHER METHOD:** By leaving an Original or True Copy with \_\_\_\_\_.

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on \_\_\_\_\_ and after personal inspection, I found the above described real property to be unoccupied.

**X SUBSTITUTE SERVICE MAILER:** That on the 29<sup>th</sup> day of April, 2004 I mailed a copy of the Trustee's Notice of Sale addressed to Randy Archuleta and all other occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed \_\_\_\_\_

Mary Bakie

**3644 Flint Street**

**ADDRESS OF SERVICE**

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of 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.

April 28, 2004

2:37PM

**DATE OF SERVICE**

**TIME OF SERVICE**

☐ or non occupancy

By: \_\_\_\_\_

Bob Bolenbaugh

Dated this 29<sup>th</sup> day of April, 2004.

Subscribed and sworn to before me by Bob Bolenbaugh

Margaret A. Nielsen  
Notary Public for Oregon

