

04 SEP 27 AM 10:25

Vol M04 Page 64549

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

State of Oregon, County of Klamath  
Recorded 09/27/04 11:25 a m  
Vol M04 Pg 64549-54  
Linda Smith, County Clerk  
Fee \$ 46.00 # of Pgs 6

*Aspen: 59132*

**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:

Maria Masloff  
15011 Bear Valley Road, No. 10  
Hesperia, CA 92345-1653

Tanya Masloff  
1620 Entrecolinas Place  
Pomona, CA 91768

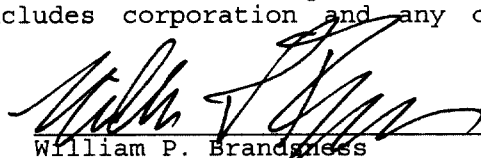
Ms. Tatiana Masloff  
1620 Entrecolinas Place  
Pomona, CA 91768

Michael R. Long  
Klamath County Tax Collector  
305 Main Street, Room 121  
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.

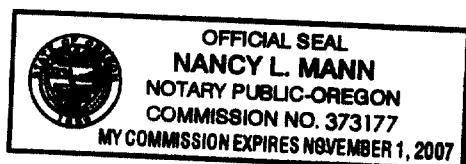
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the trustee Andrew C. Brandsness; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on June 1, 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 P. Brandsness

STATE OF OREGON                     )  
                                              ) ss.  
County of Klamath                 )

Personally appeared before me this 1 day of June, 2004, William P. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.



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

3146A

**WE ARE ATTEMPTING 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 a certain trust deed ("Trust Deed") made, as follows:

Maria Masloff, whose successor in interest is Tanya Masloff (aka Tatiana Masloff), Grantor; Aspen Title & Escrow, Inc., Trustee; and William W. Peterson and Barbara F. Peterson, Beneficiary, recorded in Official/Microfilm Records, Volume M90, Page 2630, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon ("Property"):

See Exhibit "A" attached hereto and made a part hereof, together with a 1979 Ridgewood Mobile Home, VIN 09L13952, Plate No. X154587

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

Failed to make the payment due August 15, 2003, and monthly payments thereafter.

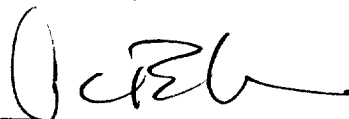
By reason of said defaults, the beneficiary has declared all sums owing on the obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:

The principal sum of \$64,561.41, plus interest thereon at the rate of 10% per annum from May 18, 2004; delinquent interest in the amount of \$55,122.12, and attorney fees and costs incurred prior to foreclosure in the amount of \$3,612.04, 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 October 14, 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: May 28, 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

## Exhibit A

**PARCEL 1:**

**A tract of land situated in the E 1/2 W 1/2 of Section 24, Township 31 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:**

**Beginning at a 5/8 inch iron pin marking the C-W 1/16 corner of said Section 24; thence North 00° 03' 23" East, along the West line of the E 1/2 W 1/2 of said Section 24, 1495.37 feet to the centerline of Sand Creek; thence Easterly, along said centerline of Sand Creek, to the Westerly right of way line of State of Highway No. 97 (Dalles-California Highway); thence South 02° 22' 40" West, along said Westerly right of way line, 2165.04 feet to a 5/8 inch iron pin; thence South 89° 42' 56" West 485.22 feet to a 5/8 inch iron pin on the West line of the E 1/2 W 1/2 of said Section 24; thence North 00° 07' 04" East 659.04 feet to the point of beginning.**

**PARCEL 2:**

**A tract of land situated in the E 1/2 W 1/2 of Section 24, Township 31 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:**

**Beginning at a point on the West line of the E 1/2 W 1/2 of said Section 24, said point marked by a 5/8 inch iron pin being South 00° 07' 04" West 659.04 feet from the C-W 1/16 corner of said Section 24; thence South 00° 07' 04" West along said West line, 671.12 feet to a 5/8 inch iron pin on the Northerly right of way line of Klamath County Road No. 3092 (Easement No. F 2992); thence South 81° 56' 23" East, along said Northerly right of way line, 460.50 feet to a 5/8 inch iron pin on the Westerly right of way line of State Highway No. 97 (Dalles-California Highway); thence North 02° 22' 40" East along said Westerly right of way line, 738.73 feet to a 5/8 inch iron pin; thence South 89° 42' 56" West 485.22 feet to the point of beginning, with bearings based on Survey No. 1706, as recorded in the office of the Klamath County Surveyor.**

64552

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

Aspen: 59132

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

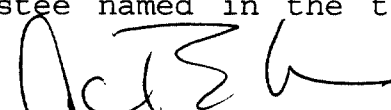
STATE OF OREGON           )  
                                  ) ss.  
County of Klamath        )

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

I am the successor trustee in that certain trust deed executed and delivered by Maria Masloff, whose successor in interest is Tanya Masloff (aka Tatiana Masloff) as grantor to Aspen Title & Escrow, Inc. as trustee in which William W. Peterson and Barbara F. Peterson is beneficiary, recorded on February 7, 1990 in the mortgage records of Klamath, Oregon, in book/volume No. M90 at page 2630.

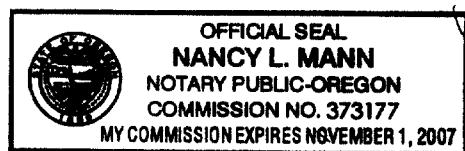
I hereby certify that on May 28, 2004, the real property described in the afore-mentioned trust deed was not occupied.

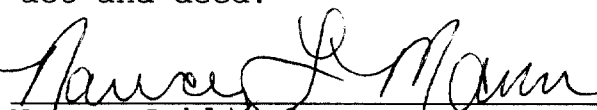
The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.

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

STATE OF OREGON           )  
                                  ) ss.  
County of Klamath        )

Personally appeared before me this 24 day of September, 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

# Affidavit of Publication

## 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 # 6860

Notice of Sale/Masloff

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

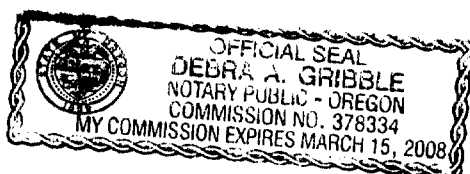
Insertion(s) in the following issues:  
July 30, August 6, 13, 20, 2004

Total Cost: \$1,022.00

*Jeanine P. Day*  
Subscribed and sworn  
before me on: August 20, 2004

*Debra A. Gribble*  
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:

Maria Masloff, whose successor in interest is Tanya Masloff (aka Tati-ana Masloff), Gran- tor; Aspen Title & Escrow, Inc., Trust- ee; and William W. Peterson and Bar- bara F. Peterson, Beneficiary, record- ed in Official/Micro- film Records, Vol- ume M90, Page 2630, Klamath County, Oregon, covering the following descri- bed real property in Klamath County, Oregon ("Prop- erty"):

See Exhibit "A" attached hereto and made a part hereof, together with a 1979 Ridgewood Mobile Home, VIN 09L13952, Plate No. X154587

### Exhibit "A"

#### PARCEL 1:

A tract of land situated in the E 1/2 W 1/2 of Section 24, Township 31 South, Range 7 East of the Willamette Meridi- an, Klamath County, Oregon, being more particularly descri- bed as follows:

Beginning at a 5/8 inch iron pin mark- ing the C-W 1/16 cor- ner of said Section 24; thence North 00° 03' 23" East, along the West line of the E 1/2 W 1/2 of said Section 24, 1495.37 feet to the centerline of Sand Creek; thence Easterly, along said centerline of Sand Creek, to the Westerly right of way line of State of

Highway No. 97 (Dalles-California Highway); thence South 02° 22' 40" West, along said Westerly right of way line, 2165.04 feet to a 5/8 inch iron pin; thence South 89° 42' 56" West 485.22 feet to a 5/8 inch iron pin on the West line of the E 1/2 W 1/2 of said Section 24; thence North 00° 07' 04" East 659.04 feet to the point of begin- ning.

#### PARCEL 2:

A tract of land situ- ated in the E 1/2 W 1/2 of Section 24, Township 31 South, Range 7 East of the Willamette Meridi- an, Klamath County, Oregon, more par- ticularly described as follows:

Beginning at a point on the West line of the E 1/2 W 1/2 of said Section 24, said point marked by a 5/8 inch iron pin be- ing South 00° 07' 04" West 659.04 feet from the C-W 1/16 corner of said Sec- tion 24; thence South 00° 07' 04" West along said West line, 671.12 feet to a 5/8 inch iron pin on the Northerly right of way line of Klamath County Road No. 3092 (Easement No. F 2992); thence South 81° 56' 23" East, along said Northerly right of way line, 460.50 feet to a 5/8 inch iron pin on the Westerly right of way line of State Highway No. 97 (Dalles-California Highway); thence North 02° 22' 40" East along said Westerly right of way line, 738.73 feet to a 5/8 inch iron pin; thence South 89° 42' 56" West 485.22 feet to the point of beginning, with bearings based on Survey No. 1706, as recorded in the office of the Klamath County Sur- veyor.

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

Failed to make the payment due Au- gust 15, 2003, and monthly payments thereafter.

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

The principal sum of \$64,561.41, plus in- terest thereon at the rate of 10% per an- num from May 18, 2004; delinquent in- terest in the amount of \$55,122.12, and at- torney fees and costs incurred prior to foreclosure in the amount of \$3,612.04, plus trustee's fees, attorney's fees, fore- closure costs and any sums advanced by beneficiary pur- suant to the terms of said trust deed.

WHEREFORE, no- tice hereby is given that the undersigned trustee will, on Octo- ber 14, 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 fol- lowing place: Offi- ces 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-descri- bed 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 gran- tor's successors in interest acquired af- ter 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.

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.  
#6860 July 30, August 6, 13, 20, 2004.

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: May 28, 2004.

/s/ Andrew C. Brandsness,  
Successor Trustee

411 Pine Street