

UTC 85284

2009-012896

Klamath County, Oregon



00073394200900128960100109

09/30/2009 11:23:03 AM

Fee: \$92.00

RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED
BY THE PERSON REPRESENTING 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:

Brandsness, Brandsness & Rudd
411 Pine Street
Klamath Falls, OR 97601

1. Name(s) of the Transaction(s):

Affidavit of Mailing trustee's notice of sale,
Affidavit of Publication & Trustee's Affidavit of Service.

2. Direct Party (Grantor):

Dawsonhouse Inc, an Oregon Corporation

3. Indirect Party (Grantee):

4. True and Actual Consideration Paid:

n/a

5. Legal Description:

See attached

92 pmt

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

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON)
) ss:
County of Klamath)

I, Drew A. Humphrey, 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 the beneficiary's 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 trustee's notice of sale by mailing copies 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:

Dawsonhouse, Inc.
Attn: National Registered Agents, Inc.,
Registered Agent
3533 Fairview Industrial Drive, SE
Salem, OR 97302

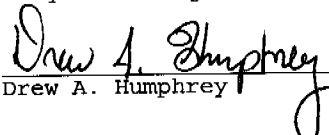
Central Oregon Intergovernmental Council
Redmond Administration
2363 SW Glacier Place
Redmond, OR 97756

SAIF Corporation
Attn: Michael Miller, Registered Agent
400 High Street, SE
Salem, OR 97312

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.

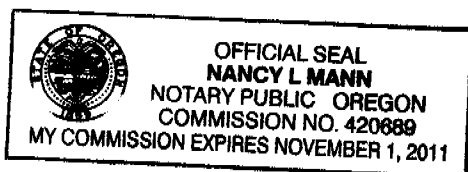
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the trustee Andrew C. Brandsness. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on June 3, 2009. 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, with postage thereon in the amount sufficient to accomplish the same. Each such notice 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 a corporation and any other legal or commercial entity.


Drew A. Humphrey

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared before me this 3 day of June, 2009, Drew A. Humphrey and acknowledged the foregoing instrument to be his voluntary act and deed.




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

**NOTICE OF DEFAULT
AND ELECTION TO SELL AND OF SALE**

Reference is made to a certain trust deed ("Trust Deed") made, as follows:

Dawsonhouse, Inc., an Oregon corporation, Grantor; AmeriTitle, Trustee; and South Valley Bank & Trust, an Oregon banking corporation, Beneficiary, recorded in Official/Microfilm Records, Volume M06, Page 07361, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, commonly known as 109455 Highway 97 N, Chemult, OR 97731 ("Property"):

See attached Exhibit "A"

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

Failed to pay the monthly installment of \$1,993.70 due October 10, 2008 and monthly installments thereafter; failed to pay Klamath County Real Property taxes for fiscal years 2007-2008 and 2008-2009.

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:

Principal in the amount of \$235,541.51 plus interest thereon at the rate of 24% per annum from May 20, 2009 until paid; delinquent interest in the amount of \$19,015.29, late fees in the amount of \$160, a Force Place Insurance Policy in the amount of \$4,428, and Klamath County Real Property taxes for fiscal year 2007-2008 in the amount of \$1,491.39 plus interest; and Klamath County real Property taxes for fiscal year 2008-2009 in the amount of \$1,542.01 plus interest, 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 13, 2009, 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, 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: June 1, 2009.



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 Notice of Sale.

Andrew C. Brandsness, Successor Trustee

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1:

Lots 1, 2, 3 and 4 in Block 1, ORIGINAL TOWNSITE OF CHEMULT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Parcel 2:

Commencing at the Northwest corner of Block 8, ORIGINAL TOWNSITE OF CHEMULT on the Easterly line of the Dalles-California Highway No. 97; thence in a Southerly direction and parallel along said highway a distance of 50 feet; thence at right angles to said highway in an Easterly direction, a distance of 150 feet; thence at right angles in a Northerly direction and parallel to said highway, a distance of 50 feet to the Southerly boundary of First Street; thence at right angles along the Southerly boundary of First Street to the point of beginning; and being part and portion of the W1/2 SW1/4 of Section 21, Township 27 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

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 # 11466

Notice of Sale/Dawsonhouse, Inc.

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:

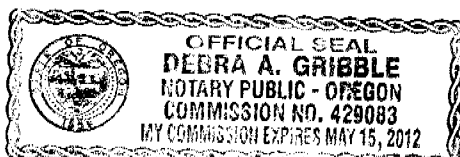
July 30, August 6, 13, 20, 2009

Total Cost: \$1,207.46

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: August 20, 2009

Debra A Gribble
Notary Public of Oregon

My commission expires May 15, 2012



NOTICE OF DEFAULT AND ELECTION TO SELL AND OF SALE WE ARE ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

Reference is made to a certain trust deed ("Trust Deed") made, as follows: Dawsonhouse, Inc., an Oregon corporation, Grantor; AmeriTitle, Trustee; and South Valley Bank & Trust, an Oregon banking corporation, Beneficiary, recorded in Official/Microfilm Records, Volume M06, Page 07361, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, commonly known as 109455 Highway 97 N, Chemult, OR 97731 ("Property"):

See attached Exhibit "A"

EXHIBIT "A" LEGAL DESCRIPTION

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The defaults for which foreclosure is made is grantor's failure to pay when due the following sums: Failed to pay the monthly installment of \$1,993.70 due October 10, 2008 and monthly installments thereafter; failed to pay Klamath County Real Property taxes for fiscal years 2007-2008 and 2008-2009.

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: Principal in the amount of \$235,541.51 plus interest thereon at the rate of 24% per annum.

(Continued in next column)

(Continued from previous column)

Sum from May 20, 2009 until paid; delinquent interest in the amount of \$19,015.29, late fees in the amount of \$160, a Force Place Insurance Policy in the amount of \$4,428, and Klamath County Real Property taxes for fiscal year 2007-2008 in the amount of \$1,491.39 plus interest; and Klamath County real Property taxes for fiscal year 2008-2009 in the amount of \$1,542.01 plus interest, 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 13, 2009, 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, 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 ~~ORCS~~ ORCS 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: June 1, 2009.

/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 Notice of Sale.

/s/ Andrew C. Brandsness, Successor Trustee

#11466 July 30, August 6, 13, 20, 2009.

UTZ 85286

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

TRUSTEE'S AFFIDAVIT OF SERVICE ON OCCUPANTS

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 of that certain trust deed executed and delivered by Dawsonhouse, Inc., an Oregon corporation as grantor to AmeriTitle as trustee in which South Valley Bank & Trust, an Oregon banking corporation is beneficiary, recorded on April 14, 2006 in the mortgage records of Klamath, Oregon, in book/volume No. M06 at page 07361, covering the real property described therein.

I hereby certify that on June 5, 2009 the occupants of the real property described in the above-referenced trust deed were served with a true copy of the attached Notice of Default and Election to Sell and of Sale. I further certify that pursuant to ORCP 7D(2)(b) true copies of the Notice of Default and Election to Sell and of Sale were mailed to the occupants with a statement of the date, time, and place at which substituted service was made. The return of service is attached hereto.

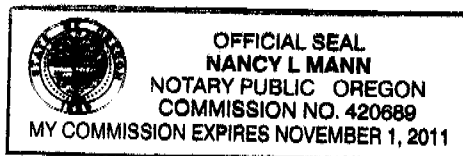
The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.




Andrew C. Brandsness

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared before me this 16 day of June, 2009, Andrew C. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.





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

**NOTICE OF DEFAULT
AND ELECTION TO SELL AND OF SALE**

Reference is made to a certain trust deed ("Trust Deed") made, as follows:

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WHEREFORE, notice hereby is given that the undersigned trustee will, on October 13, 2009, 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, 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: June 1, 2009.



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 Notice of Sale.

Andrew C. Brandsness, Successor Trustee

EXHIBIT "A"
LEGAL DESCRIPTION

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**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: Occupants of **109455 Hwy 97 N. Chemult, OR 97731**

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

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to **Colleen Riley**, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: **"John Doe"**

☒ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

1st Attempt: June 05, 2009 2:30 PM Posted

2nd Attempt: June 12, 2009 1:35 PM Posted

3rd Attempt: June 14, 2009 1:45 PM Served

☐ **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.

☒ **SUBSTITUTE SERVICE MAILER:** That on the day of **June 16, 2009**, I mailed a copy of the Trustee's Notice of Sale addressed to **All Known 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

Thulsee Meek

109455 Hwy 97 N. Chemult, OR 97731

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.

June 5, 2009

2:30 PM

DATE OF SERVICE

TIME OF SERVICE

☐ or non occupancy

By:

Ken Baker

Subscribed and sworn to before on this 16 day of June, 2009.

Margaret A. Nielsen
Notary Public for Oregon

