

Returned at Counter

**2023-001424**  
**Klamath County, Oregon**

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



03/01/2023 03:57:47 PM

Fee: \$117.00

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

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 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.

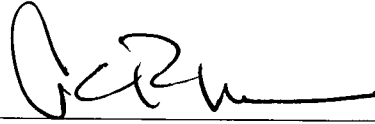
I gave notice of the sale of the real property described in the attached trustee's notice of sale by mailing copies thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

Abraham Vera Enriquez  
Jose Gilberto Sanchez Escalante  
440 W Wood Ave  
Stanfield, OR 97875

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 86.806.

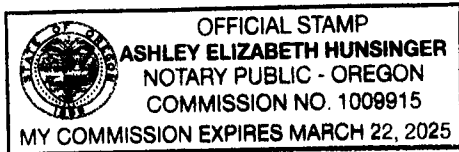
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the trustee Andrew C. Brandsness. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on April 24, 2019. 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.



Andrew C. Brandsness

SUBSCRIBED AND SWORN to before me this 7 day of November, 2022.



Notary Public for Oregon

My Commission expires: 3/22/25

# NOTICE OF DEFAULT AND ELECTION TO SELL AND OF SALE

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

Abraham Vera Enriquez and Jose Gilberto Sanchez Escalante, Grantors; AmeriTitle, LLC, a Delaware Corporation, Trustee; and Kent Taylor, Beneficiary, recorded in Official/Microfilm Records, Volume 2021 Page 018487, Klamath County, Oregon, covering the following-described real property in Klamath County, Oregon, ("Property"):

The S1/2 NE1/4 SE1/4 of Section 32, Township 35 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

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

\$635.26, plus 7 percent interest from March 1, 2022; \$50.00 payment to AmeriTitle for check with nonsufficient funds; late fees of \$31.26 from March 1, 2022.

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:

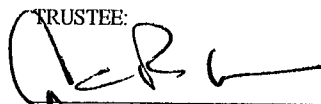
\$26,738.25, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.

WHEREFORE, notice hereby is given that the undersigned trustee will, on March 1, 2023 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: 411 Pine Street, Klamath Falls, Oregon 97601 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 86.783 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 86.783.

Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's sale.

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.

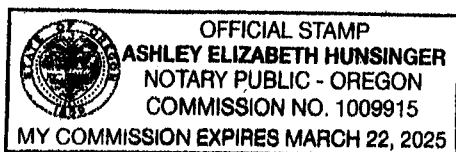
Dated: October 3, 2022.

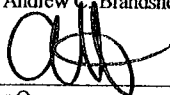
TRUSTEE:  


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

STATE OF OREGON, County of Klamath) ss.

Personally appeared before me this 3 day of October, 2022, the above-named Andrew C. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.



  
Notary Public for Oregon  
My Commission expires: 3/22/25

NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT,  
15 U.S.C. § 1692

1. The amount of the debt is stated in the Notice of Sale attached hereto.
2. The beneficiary named in the attached Notice of Sale is the creditor to whom the debt is owed.
3. The debt described in the Notice of Sale attached hereto will be assumed to be valid by the trustee unless the debtor, within 30 days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
4. If the debtor notifies the trustee in writing within 30 days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.
5. If the creditor named as beneficiary in the attached Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within 30 days from receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written requests or objections should be addressed to: Brandsness, Brandsness & Rudd, P.C., 411 Pine Street, Klamath Falls, Oregon 97601.

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

7015 0640 0002 4520 8721

U.S. Postal Service <sup>TM</sup> CERTIFIED MAIL <sup>®</sup> RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To Abraham Enriquez, Jose Escalante Street and Apt. No., or PO Box No. 400 W. Wood Ave City, State, ZIP+4 <sup>®</sup> Stonfield, OR 97875	
PS Form 3800, April 2015 PSN 7530-01-000-9047 See Reverse for Instructions	

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

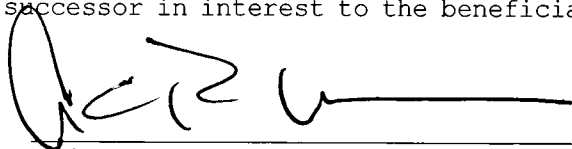
**AFFIDAVIT OF NON-MILITARY SERVICE**

STATE OF OREGON                    )  
  ) ss.  
County of Klamath                 )

THIS IS TO CERTIFY That I am the attorney for the Beneficiary/Beneficiary's successor in interest in that certain Trust Deed in which Abraham Vera Enriquez and Jose Gilberto Sanchez Escalante, as Grantors, conveyed to AmeriTitle, LLC, a Delaware Corporation,, as Trustee, certain real property in Klamath County, Oregon; which said Trust Deed was dated December 14, 2021, and recorded in the mortgage records of said county, record number 2021-018487; thereafter a Notice of Default with respect to said Trust Deed was recorded October 5, 2022, record number 2022-011982 of said mortgage records.

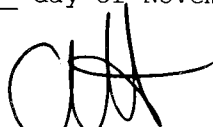
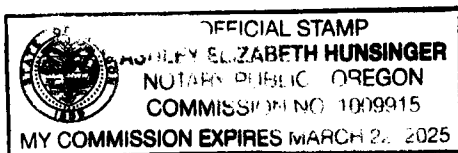
To the best of my knowledge and belief the Grantor of the above Trust Deed is not in the military service, or was not so within 367 days before the recording of the Notice of Default, or a dependent of a service member in military service based on the following facts made known to me by the Beneficiary or based on inquiry made by this office: (1) Grantor's address is not part of a military installation; (2) the Beneficiary has not been provided with any information that indicated that Grantor is a member of any branch of military service, whether active or reserve; and (3) notice was personally served on Grantor at an address that is not part of a military installation.

In construing this certificate the masculine includes the feminine, the singular includes the plural, the word "Grantor" includes any successor in interest to the grantor, the word "Trustee" includes any successor trustee, and the word "Beneficiary" includes any successor in interest to the beneficiary named in said Trust Deed.



Andrew C. Brandsness

SUBSCRIBED AND SWORN to before me this 7 day of November, 2022.



Notary Public for Oregon  
My Commission expires: 3/22/25

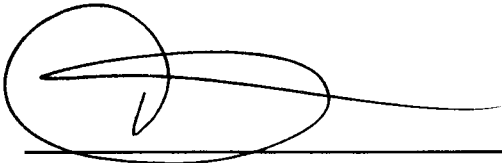
**AFFIDAVIT OF PUBLICATION  
STATE OF OREGON,  
COUNTY OF KLAMATH**

I, Christine Von Tersch, Circulation Manager being duly sworn, depose and say that I am the principle clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at 2701 Foothills Blvd, Klamath Falls, OR 97601 in the aforesaid county and state: that I know from my personal knowledge that the Legal # 20775 - Ferguson Mountain S1/2

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

Insertion(s) in the following issues: 10/12/22, 10/19/22, 10/26/22, 11/02/22

Total Cost: \$1,269.92

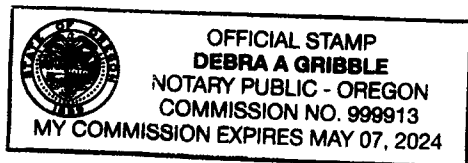


Subscribed and sworn by Christine Von Tersch before me  
on: On 2nd day of November, in the year of 2022



Notary Public of Oregon

My commission expires May 7, 2024



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

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

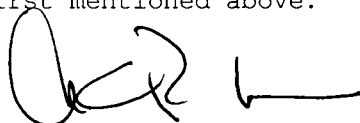
STATE OF OREGON     )  
                              ) ss.  
County of Klamath )

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

I am the successor trustee in that certain trust deed executed and delivered by Abraham Vera Enriquez and Jose Gilberto Sanchez Escalante as grantor to AmeriTitle, a Delaware Corporation, as trustee in which Kent Taylor is beneficiary, recorded on December 14, 2021, in the mortgage records of Klamath County, Oregon, record number 2021-018487.

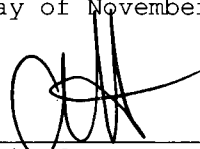
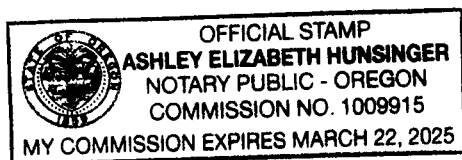
I hereby certify that on October 5, 2022, the real property described in the afore-mentioned trust deed was not occupied.

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  
Successor Trustee

SUBSCRIBED AND SWORN to before me this 7 day of November, 2022.



\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires: 3/22/25