

84014

4-30-80

Vol. ^M 80 Page 8335
Highway Division
File 26080

ORIGINAL

A F F I D A V I T

STATE OF OREGON)
COUNTY OF MARION) ss

I, JACK SOLLIS, being first duly sworn on oath state:

That I am an Assistant Attorney General and Counsel for the Highway Division of the Oregon Department of Transportation.

That on August 3, 1977, the Department of Transportation, Highway Division, entered into a land sale contract with Edward G. and Sandra J. Hodges for the purchase of a .57 acre parcel in Block 7, Riverview, Klamath County, Oregon, which parcel is more particularly described in Book M77, Page 14322, Klamath County Records.

That Section 8 of said contract provided that if said Purchasers become delinquent in the payments as provided for in the contract, State could terminate the contract by giving Purchasers a thirty day notice of its intention to do so and upon the expiration of said thirty days, State could declare the contract null and void.

That Purchasers were on January 14, 1980, delinquent in the payments under said contract, on which date, I, as Counsel for the Department of Transportation, Highway Division, did give Edward G. Hodges and the heirs of Sandra J. Hodges written notice by certified mail that the installments due on said contract were delinquent and if said installments and interest thereon were not paid within thirty days, the Highway Division would declare the contract null and void.

That neither Edward G. Hodges nor the heirs of Sandra J. Hodges have since made any payments of the delinquent installments due on said contract.

That on April 14, 1980, I notified Edward G. Hodges and the heirs of Sandra J. Hodges that under the terms of said contract the Highway Division has declared the contract null and void.

That attached hereto and marked as Exhibit "A" are copies of the notice letters dated January 14, 1980, and marked as Exhibit "B" are copies of the April 14, 1980, letters notifying Edward G. Hodges and the heirs of Sandra J. Hodges that the Highway Division has voided said contract and terminated their rights therein.

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8336

Highway Division
File 26080

That this affidavit is made for the purpose of clearing the interest of Edward G. Hodges and the heirs of Sandra J. Hodges created by said contract in the above-mentioned property.

James L. Solley
Jack Solley, Asst. Attorney General
and Counsel

Subscribed to and sworn before me this 5th day of May,
1980.

William E. Dean
Notary Public for the State of Oregon
My Commission expires 3-1-83

jmc/62
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XXXXXXXXXXXXXXXXXXXX

113 Transportation Building

January 14, 1980

CERTIFIED MAIL

Separate letters to: Louise Mitchell)
William Jeffery Brewer) Address: 324 N. 9th Street
Charles Lee Brewer) Klamath Falls, OR 97601
Mrs, Effie Hodges - 5716 Summers Lane - Klamath Falls, OR 97601
Mr. Edward G. Hodges - P.O. Box 40697 - 2605 State Street N.E. - Salem, OR 97310

Re: FORMAL NOTICE OF STRICT FORECLOSURE
Land Sale Contract dated August 3, 1977 between the State of Oregon,
by and through its Department of Transportation, Highway Division,
and Edward G. Hodges and Sandra J. Hodges, purchasers.

This is to advise you that the State of Oregon, by and through its
Department of Transportation, Highway Division, is hereby declaring a
default on the above referenced Land Sale Contract because of failure on
the part of the purchasers to pay the purchase price as provided in said
Land Sale Contract.

Purchasers and/or their representatives failed to pay installments
specified in said contract and therefore in accordance with the provisions
of paragraph VIII of said contract the State of Oregon, by and through its
Department of Transportation, Highway Division, hereby gives the purchasers
and/or their representatives 30 days notice of its intention to terminate
said contract within 30 days of receipt of this letter in accordance with
the provisions of paragraph VIII of said contract.

Unless all past due installments and interest on said contract are
received by the State within 30 days from receipt of this letter the State
of Oregon, by and through its Department of Transportation, Highway Division,
will declare the contract null and void and all rights of the purchasers and/
or their representatives in said contract and all of their state, equity and
interest thereon shall cease and terminate and all payments made by purchasers

Exhibit "A"

January 14, 1980
Page 2

and/or their representatives to the State, whether principal or interest,
shall be forfeited to the State as liquidated damages for the non-performance
of this contract.

Sincerely yours,

Jack L. Sollis
Assistant Attorney General
and Counsel

JLS:hg

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113 Transportation Building

April 14, 1980

CERTIFIED MAIL

Mr. Edward G. Hodges
P.O. Box 40897
2505 State St. NE
Salem, OR 97310

RE: FORMAL NOTICE OF STRICT FORECLOSURE
Land Sale Contract dated August 3, 1977 between the
State of Oregon, by and through its Department of
Transportation, Highway Division, and Edward G. Hodges
and Sandra J. Hodges, purchasers.

This is to advise you that there was no response to my
letter of January 14, 1980 relating to the above strict
foreclosure and therefore this is to advise all parties that
on this date the Highway Division has declared the contract
null and void. By this declaration all rights of the above
parties in and to said property are hereby terminated.

Sincerely yours,

Jack L. Solis
Assistant Secretary General & Counsel

ALS:sjd

Exhibit "B"

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113 Transportation Building

April 14, 1980

CERTIFIED MAIL

Charles Lee Ormer
324 9th St.
Klamath Falls, OR 97601

RE: FORMAL NOTICE OF STRICT FORECLOSURE
Land Sale Contract dated August 3, 1977 between the
State of Oregon, by and through its Department of
Transportation, Highway Division, and Edward C. Hodges
and Sandra J. Hodges, purchasers.

This is to advise you that there was no response to my
letter of January 14, 1980 relating to the above strict
foreclosure and therefore this is to advise all parties that
on this date the Highway Division has declared the contract
null and void. By this declaration all rights of the above
parties in and to said property are hereby terminated.

Sincerely yours,

Jack L. Soliis
Assistant Attorney General : Bureau 1

JLS:sjb

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113 Transportation Building

April 14, 1969

CERTIFIED MAIL

William Jeffery Brewer
327 25th St.
Klamath Falls, OR 97601

RE: FORMAL NOTICE OF STRICT FORECLOSURE
Land Sale Contract dated August 3, 1977 between the
State of Oregon, by and through its Department of
Transportation, Highway Division, and Edward G. Hodges
and Sandra J. Hodges, purchasers.

This is to advise you that there was no response to my
letter of January 14, 1969, relating to the above strict
foreclosure and therefore this is to advise all parties that
on this date the Highway Division has declared the contract
null and void. By this declaration all rights of the above
parties in and to said property are hereby terminated.

Sincerely yours,

Jack L. Solis
Assistant Secretary General & Comm.

JLS:js

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4342

115 Transportation Bldg.

April 14, 1980

CERTIFIED MAIL

Louise Mitchell
324 5th St.
Klamath Falls, OR 97601

RE: FORMAL NOTICE OF STRICT FORECLOSURE
Land Sale Contract dated August 3, 1977 between the
State of Oregon, by and through its Department of
Transportation, Highway Division, and Edward G. Hodges
and Sandra J. Hodges, purchasers.

This is to advise you that there was no response to my
letter of January 14, 1980 relating to the above strict
foreclosure and therefore this is to advise all parties that
on this date the Highway Division has declared the contract
null and void. By this declaration all rights of the above
parties in and to said property are hereby terminated.

Sincerely yours,

Jack L. Dillie
Assistant Secretary, General Counsel

JLS:bjb

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110 Transportation Building

April 14, 1980

CERTIFIED MAIL

Mrs. Effie Holges
6710 Summers Lane
Klamath Falls, OR 97601

RE: FORMAL NOTICE OF STRICT FORECLOSURE
Land Sale Contract dated August 3, 1977 between the
State of Oregon, by and through its Department of
Transportation, Highway Division, and Edward G. Holges
and Sandra D. Holges, purchasers.

This is to advise you that over this date response to my
letter of January 14, 1980, relating to the above strict
foreclosure and to inform you that this is to advise all parties that
on this date the Highway Division has declared the contract
null and void. By this declaration all rights of the above
parties in and to said property are hereby terminated.

Sincerely yours,

Jack L. Gellis
Assistant Director, Highway Division

ULS:sjs

Department of Transportation
HIGHWAY DIVISION
TRANSPORTATION BUILDING
SALEM, OREGON 97310

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Dept. of Transportation

this 6th day of May A. D. 19 80 at 2:16'clock P. M., am

truly recorded in Vol. MS0, of Deeds on Page 8335

Wm D. MILNE, County Clerk

By Sandra D. Holges

Fee \$31.50