

71331

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## AFFIDAVIT OF FORFEITURE

Reference is hereby made to that certain real estate contract dated January 3, 1980, by and between Weston Thorsen, as Vendor, and Bill Harp and Peggy Harp, as Vendees, recorded January 7, 1980, in the microfilm records of Klamath County, Oregon, in volume M80, page 2333.

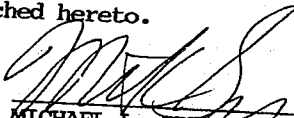
The contract referred to herein provided for yearly payments beginning February 15, 1981, and each year thereafter with the full amount of the contract to be paid by January 1, 1983. The first payment due on February 15, 1981, was not made and no payments have been made to date, thereby creating default under the terms of the contract. Notice of the default was given to the Vendees pursuant to ORS 93.915 on December 4, 1986, by mailing by first class and Certified Mail with the Return Receipt Requested to the Vendees at their last known address, the Notice is attached hereto as Exhibit "A".

The default as set out herein has not been cured within the time provided by ORS 93.915 and the contract is hereby forfeited.

The contract and property involved herein is for that certain real property in Klamath County, Oregon, described as:

Lot No. 12, 13, and 14, BLOCK 2, EVERGREEN ACRES,  
Klamath County, Oregon, according to the official  
plat thereof on file in the office of the County  
Clerk of Klamath County, Oregon.

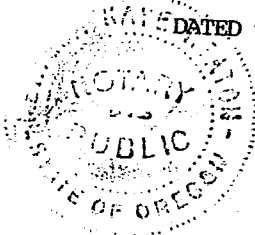
Proof of mailing is attached hereto.

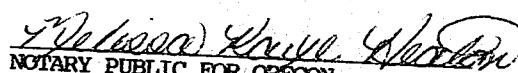
  
MICHAEL L. SPENCER  
Attorney for Vendor

STATE OF OREGON     )  
                              ) ss.  
County of Klamath    )

Appeared before me the above named MICHAEL L. SPENCER and declared the foregoing instrument to be his voluntary act and deed.

DATED this 10<sup>th</sup> day of February, 1987.



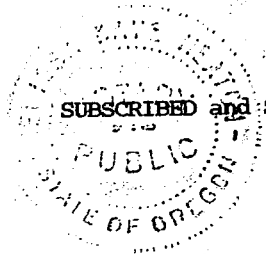
  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 9/12/89

## AFFIDAVIT OF MAILING

STATE OF OREGON     )  
                               ) ss.  
 County of Klamath    )

I, MICHAEL L. SPENCER, being first duly sworn, depose and say: that on December 4, 1986, I caused to be mailed to the Vendors, Mr. and Mrs. Bill Harpe, at their last known address, Notice of Default as required by ORS 93.915 by both Certified Mail, Return Receipt Requested, and first class mail. Both letters were returned as undeliverable. A true and accurate copy of the face of each envelope is located below.

<p>OSBORNE, SPENCER and WOGAN ATTORNEYS AT LAW 439 PINE KLAMATH FALLS, OREGON 97601</p> <p>Return Check No. 533568 <input type="checkbox"/> Held Date 12-10-86 1ST Notice 2ND Notice Return</p>	<p>RETURNED 3 SENT UNDELIVERABLE AS ADDRESSED UNABLE TO FORWARD</p>	<p>MR. AND MRS. BILL HARPE POWDER HORN TRADING POST 200 W. 3RD STREET DORRIS, CA 96023</p>
<p>OSBORNE, SPENCER and WOGAN ATTORNEYS AT LAW 439 PINE KLAMATH FALLS, OREGON 97601</p>	<p>RETURNED 3 SENT UNDELIVERABLE AS ADDRESSED UNABLE TO FORWARD</p>	<p>MR. AND MRS. BILL HARPE POWDER HORN TRADING POST 200 W. 3RD STREET DORRIS, CA 96023</p>



*Michael L. Spencer*  
 MICHAEL L. SPENCER

SUBSCRIBED and SWORN to before me this 10<sup>th</sup> day of February, 1987.

*Malissa Anne Blanton*  
 NOTARY PUBLIC FOR OREGON  
 My Commission Expires: 9/12/89

OSBORNE, SPENCER and WOGAN

DOUGLAS V. OSBORNE  
MICHAEL L. SPENCER  
CAMERON F. WOGAN

ATTORNEYS AT LAW  
439 PINE  
KLAMATH FALLS, OREGON 97601  
TELEPHONE (503) 884-8152

2259

December 4, 1986

Mr. and Mrs. Bill Harpe  
Powder Horn Trading Post  
200 W. 3rd Street  
Dorris, CA 96023

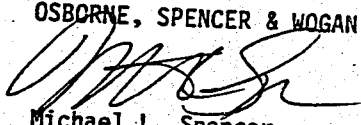
Re: Contract with Weston Thorsen

Dear Mr. and Mrs. Harpe:

In regards to your contract with Mr. Thorsen for the lot in Evergreen Acres, please be advised that this law firm has been retained by him in regards to your nonpayment of those sums. There is currently due and owing on this contract the sum of \$6,200.00 and, pursuant to ORS 93.915, you are hereby given notice that you are in default on the payment terms which required payment in full of this contract by January 3, 1983. The amount of the default is the sum of \$6,200.00. A forfeiture will be declared in this situation on February 10, 1987, unless the sums indicated herein are paid to Mr. Thorsen's attorney, Michael L. Spencer, at the address indicated herein.

Very truly yours,

OSBORNE, SPENCER & WOGAN

  
Michael L. Spencer  
MLS/mkh

AFTER RECORDING RETURN TO:

Osborne, Spencer & Wogan  
Attorneys at Law  
439 Pine Street  
Klamath Falls, OR 97601

SEND ALL TAX STATEMENTS TO;

Weston Thorsen  
P O Box 1805  
759 Cottage Street  
Brookings, OR 97415

EXHIBIT "A"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
of February A.D., 19 87 at 3:06 o'clock P M., and duly recorded in Vol. M87 day  
of \_\_\_\_\_ Deeds on Page 2257

FEE \$13.00

Evelyn Biehn, County Clerk  
By 