

AFFIDAVIT FORFEITING LAND SALE CONTRACT

STATE OF OREGON }
 County of Marion } ss

Contract No. C06143

I, Douglas A. Port, being first duly sworn, depose, and say:

I have been duly authorized by the Director of Veterans' Affairs, the Seller, to declare a forfeiture of that certain Land Sale Contract between the State of Oregon, represented and acting by the Director of Veterans' Affairs, the Seller, and Gregg S. Jordan and Tonia R. Jordan, the Buyer, dated November 7, 1985, recorded November 12, 1985, in Book No. M-85, Page No. 18265 (vendee's interest assigned to Terry L. McCutcheon by instrument dated July 8, 1988, recorded July 8, 1988, Book No. M88, Page No. 10776), official records of Klamath County, Oregon, covering the following described property situated in said county and state, to wit:

Tax Account No.: 621928

Lot 5, Block 35, FIFTH ADDITION TO KLAMATH RIVER ACRES, in the County of Klamath, State of Oregon, EXCEPTING THEREFROM the following described parcel of land situated in Section 6, Township 40 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a 5/8" iron pin on the West line of Government Lot 4 of said Section 6 from which the Northwest corner of said Government Lot 4 bears North 00° 03' 57" West along said West Government Lot line, 405.00 feet; thence North 56° 35' 42" East, 433.93 feet to the mean high water line of the Klamath River; thence South 30° 27' 21" East along said mean high water line, 19.89 feet; thence leaving said mean high water line South 58° 15' 58" West 437.76 feet to said West line of Government Lot 4; thence North 00° 03' 57" West along said West line of Government Lot 4, 8.50 feet to the point of beginning, lying within the Northerly portion of Lots 5, 6, and 7 of Block 35 of Tract No. 1081, Fifth Addition to Klamath River Acres.

The mailing address of the above-described property is 11223 White Goose Drive, Keno, Oregon 97627.

The aforesaid contract provides a forfeiture remedy. I gave notice of seller's election to enforce the forfeiture provision of said contract by mailing a Seller's Notice of Default and Election to Declare a Forfeiture (a copy of which is attached hereto) by both first class and certified mail with return receipt requested (proof of mailing attached hereto) to the purchaser, any occupant of the property, any person requesting a notice, and to all persons having an interest, lien, or claim with respect to said real property, and more particularly to:

'89 JUN 15 PM 3 54

Terry McCutcheon
PO Box 1231
Klamath Falls, OR 97601

Gregg S. Jordan
3918 Greensprings Drive
PO Box 5017
Klamath Falls, OR 97601

Jane McCutcheon
PO Box 1231
Klamath Falls, OR 97601

Tonia R. Jordan
3918 Greensprings Drive
PO Box 5017
Klamath Falls, OR 97601

No greater notice, or notice to persons other than those given notice, is required by the terms of the contract.

Said Notice of Default was the initial written Notice of a Default given to the purchaser.

The address to which the Seller's Notice of Default and Election to Declare a Forfeiture was mailed is the last known mailing address of the parties being given notice of the forfeiture. No other mailing address was known by Seller.

Neither the Seller nor the attorney for the Seller has been notified by any recipient of the aforesaid Notice of Default that a right to a longer period of time in which to cure the Default was being claimed.

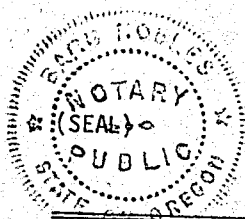
The Default of the purchaser, under the terms of the contract, was not cured within the time period specified in the aforesaid notice.

The contract has been forfeited.

Signed this 13th day of June, 1989.

Douglas A. Port
Douglas A. Port

Subscribed and sworn to before me this 13th day of June, 1989.



Earl Noble

Notary Public for Oregon

My Commission expires: 10-11-91

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

THIS DOCUMENT HAS CREATED AN INTEREST IN:

Director of Veterans' Affairs (DVA)
Oregon Veterans' Building
700 Summer Street, NE
Salem, OR 97310-1201

AFTER RECORDING RETURN TO DVA

Aspen Title co.
on this 15th day of June A.D., 19 89
at 3:54 o'clock PM and duly recorded
in Vol. M89 of Deeds Page 10717

Evelyn Biehn County Clerk

By Douglas A. Port