

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR KLAMATH COUNTY

HAROLD COLE and PHYLLIS COLE,

Plaintiffs,

vs.

BETTY ANN STANDLEY,

Defendant.

Case No. 86-322-CV

FINAL DECREE OF STRICT
FORECLOSURE OF LAND
SALE CONTRACT

It appearing to the court that on October 3, 1986, the court made and entered herein its Amended Interlocutory Decree requiring the defendant to pay to plaintiffs, through the clerk of the court, certain sums of money within thirty days from the date of the Amended Interlocutory Decree, or otherwise be foreclosed of all her interest in the real property described therein and to the money previously paid by defendant on the purchase price of the property; and

It further appearing to the court that defendant has failed to pay such money and that the time for doing so has expired and that plaintiff is now entitled to a final decree of strict foreclosure, and the court being fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED AND DECREED as follows:

1. That the defendant is hereby forever strictly foreclosed of all interest in the following real property:

Lots 3 and 4 and all that portion of the E1/2SW1/4 lying Easterly of the right of way of the S.P. Railroad in Section 31, Township 30 South, Range 8 E.W.M.

TOGETHER WITH that certain easement for ingress and egress and for the installation and maintenance of utilities which easement is more particularly described in that certain instrument dated the 26th day of October, 1983, and recorded on the 27th day of October, 1983, in Book M83 at Page 18567, Recorder's No. 29963, Records of Klamath County, Oregon.

SUBJECT TO:

Reservations and restrictions contained in Patent to

FINAL DECREE OF STRICT FORECLOSURE
OF LAND SALE CONTRACT - 1

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DOLE, COALWELL & MCHILLIN, P.C.
ATTORNEYS
P. O. BOX 1205, 810 S.E. DOUGLAS AVE.
ROSEBURG, OREGON 97470
PHONE: (503) 673-9541

Melvira Duvall Tofthagen, formerly Melvira Duvall, recorded July 21, 1958, Vol. 301, page 173, Deed Records of Klamath County, Oregon, as follows: "Subject to such rights for railroad purposes as the Southern Pacific Railway Company may have under the Act of March 2, 1899 (30 Stat. 990)."

That certain easement for ingress and egress and for the installation and maintenance of utilities which easement is more particularly described in that certain instrument dated the 26th day of October, 1983, and recorded the 27th day of October, 1983, in Book M83 at Page 18563, Recorder's No. 29962, Records of Klamath County, Oregon;

and that all interests of defendant in the real property, both at law and in equity, are hereby vested absolutely in plaintiffs;

2. That all money previously paid by defendant upon the purchase price of the property belong to plaintiffs, free of all claims of the defendant;

3. That this decree shall stand as a cancellation of the contract;

4. That plaintiff have judgment against defendant for \$760.50 attorney fees, and plaintiffs' costs of \$166.50; and

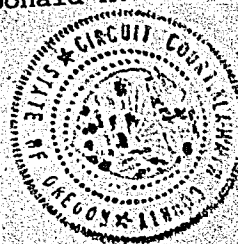
5. That the Sheriff of Klamath County, Oregon, place plaintiffs in immediate possession of the real property.

DATED 16 November, 1986.

[Signature]
CIRCUIT JUDGE

Submitted By:
George W. Ambrosini, OSB #85137
Of Attorneys for Plaintiffs

Trial Attorney:
Donald A. Dole, OSB #51025



I, CATHERINE NICOLE, Clerk of the Circuit Court of the County of Klamath and the State of Oregon do hereby certify that the foregoing copy has been by me compared with the original, and that it is a transcript therefrom, and of the whole of such original at the same appears on file or of record in my office and in my care and custody. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 10 day of Nov A.D. 1986

CATHERINE NICOLE, Clerk of Court
By [Signature]

FINAL DECREE OF STRICT FORECLOSURE
OF LAND SALE CONTRACT - 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Phyllis Cole the 21st day of July A.D. 1989 at 2:27 o'clock P.M., and duly recorded in Vol. M89 of Deeds on Page 13362.
Evelyn Biehn, County Clerk
By [Signature]

FEE \$13.00
Return: Phyllis Cole
3434 Cole Rd., Oakland, Ca. 97462

DOLE, COALWELL & McMILLIN, P.C.
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