

10018

K-41545

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## AFFIDAVIT OF VACANCY

STATE OF OREGON           )  
                                  ) SS  
COUNTY OF                )

I, Frank Ganong, being first duly sworn, do hereby depose, say, and certify that:

At all times hereinafter mentioned, I was and now am a resident of the state where service is made, a competent person 18 years of age or older, and not the seller or purchaser or a party to the proceeding described in the attached notice of default ("notice") or an officer, director, or employee of, or attorney for, any party, corporate or otherwise.

On the 2nd day of January, 1990, I personally attempted service of the attached notice certified to be a true copy by Kimberly K. Tellin on occupants residing at the property described as follows:

Lots 46, 47, 48, 49, 50 and 51B Lakeshore Gardens, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The address was vacant.

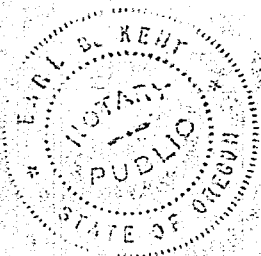
*Frank J. Ganong*

5 The foregoing affidavit was acknowledged before me this day of January, 1990, by FRANK R. GANONG

*Earl B. Kent*

Notary Public for Oregon

My commission expires: 12/18/93



6587L

NOTICE OF DEFAULT

TO: Mr. Ronald Dow Williams      Mr. Ronald Dow Williams  
      2110 Grape Street            1625 Siskiyou Street  
      Klamath Falls, Oregon 97601   Klamath Falls, Oregon 97601

Ms. Phyllis Marie Williams      Ms. Phyllis Marie Williams  
      2110 Grape Street            1625 Siskiyou Street  
      Klamath Falls, Oregon 97601   Klamath Falls, Oregon 97601

We are the attorneys for Betty B. Suehsdorf and Suzanne B. Snyder. On or about March 3, 1981, RONALD DOW WILLIAMS and PHYLLIS MARIE WILLIAMS, as purchasers, executed a contract of sale ("the contract") with BETSY GEARY and BETSY GEARY TRUSTEE of the ROLAND W. GEARY TRUST, as sellers. The contract was recorded March 11, 1981, in Volume M81, Page 4364, Deed Records of Klamath County, Oregon, covering the following-described real property:

Lots 46, 47, 48, 49, 50 and 51B Lakeshore Gardens, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUZANNE B. SNYDAL and BETTY B. SUEHSDORF were assigned the seller's interest in the contract by Assignment and Deed dated July 30, 1987, and recorded September 16, 1987, in Volume M87, Page 16824, of said Records.

You are in default under the terms of the contract by virtue of the following:

1. Failure to make the monthly principal and interest installment payments in the amount of \$275 due November 1, 1983, and the first day of each and every month thereafter as required by the contract of sale; and

2. Failure to pay real property taxes for tax years 1984-1985, 1985-1986, 1986-1987, 1987-1988, 1988-1989, and 1989-1990.

The amount in default under the terms of the contract is as follows:

<u>Type of Payment</u>	<u>Number of Payments</u>	<u>Total</u>
Principal and interest installment due the first day of each month from November 1, 1983, to December 1, 1989	74 installments of \$275	\$20,350.00

Advance made for delinquent	tax years 1984-85,	4,322.85
real property taxes	1985-1986, 1986-1987,	
	1987-1988, 1988-1989,	
	1989-1990	

TOTAL AMOUNT IN DEFAULT	<u>\$24,672.85</u>
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In order to cure the default, you must deliver to us, as attorneys for Suzanne B. Snyder and Betty B. Suehsdorf, on or before March 5, 1990: The amount of \$24,672.85; any additional amount which becomes due prior to the time the default is cured; \$350 for attorneys' fees incurred by Suzanne B. Snyder and Betty B. Suehsdorf in the enforcement of the contract and \$195 as costs of title search. Your payment should be addressed as follows:

Kimberly K. Tellin  
Miller, Nash, Wiener, Hager & Carlsen  
111 S.W. Fifth Avenue, Suite 3500  
Portland, Oregon 97204-3699

YOU ARE HEREBY NOTIFIED THAT IF THE DEFAULT IS NOT TIMELY CURED, THE LAND SALES CONTRACT WILL BE FORFEITED AFTER MARCH 5, 1990.

If you do not dispute the amounts stated in this notice of default within 30 days following the date of this letter, the amounts provided to us by the creditor, Suzanne B. Snyder and Betty B. Suehsdorf, will be presumed to be valid. If you do dispute an amount, you must send a written statement to us within 30 days explaining the discrepancy with particularity. We will then attempt to provide verification of the amounts to you within 30 days of receipt of your written statement.

If you have any questions concerning this forfeiture, please call Deborah Lewis at (503) 224-5858.

Dated: December 20, 1989.

*Kimberly K. Tellin*  
Kimberly K. Tellin

**TRUE COPY**  
*Kimberly K. Tellin*

Return to: Deborah Lewis  
Miller, Nash & Etal  
111 S.W. Fifth Avenue  
Portland, Oregon 97204

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

Klamath County Title Co.  
on this 10th day of Jan. A.D., 19 90  
at 1:36 o'clock P. M. and duly recorded  
in Vol. M90 of Mortgages Page 620  
Evelyn Biehn  
By Pauline Mullendore Deputy  
County Clerk