

16824

K-42365

Vol. m90 Page 12669

PROOF OF MAILING NOTICE OF DEFAULT  
AND FORFEITURE OF CONTRACT

STATE OF OREGON, County of Deschutes: ss.

I, Daniel C. Re, being first duly sworn, depose and say:

That I am the attorney for Kathleen Bryson, Seller, under a Contract between Kathleen Bryson as Seller, and Darrell and Arlene DeLashmutt as Purchasers. A memorandum of said contract was recorded August 16, 1989 in Book M89, Page 15178, Deed Records, Klamath County, Oregon, covering the following described property:

All that portion of the NW1/4 SW1/4 of Section 27, Township 23 South, Range 10 East of the Willamette Meridian, lying Easterly of the Great Northern Railway right of way, EXCEPTING THEREFROM the Northerly 40 feet as reserved in deed Volume M68, Page 7608, Deed Records of Klamath County, Oregon.

I hereby certify that I mailed, by first class mail and by certified mail, return receipt requested, a copy of the attached NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT to the persons listed below, on the date and to the address indicated, which was the last known address to the Seller, by placing said NOTICE in a sealed envelope, with postage fully paid thereon, and depositing the same in the United States Mail:

Date :

Person :

Address :

06/26/90  
05/26/90


Darrell DeLashmutt  
Arlene S. DeLashmutt

c/o D&D Painting & Coatings  
51468 Elm Rd.  
LaPine, OR 97739

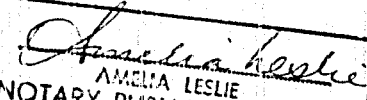
06/26/90

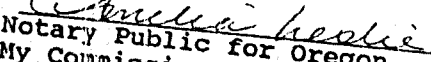
C.E. "Win" Francis, Attorney  
for DeLashmutts

1199 NW Wall St.  
Bend, OR 97701

  
Daniel C. Re, OSB #80348

SUBSCRIBED AND SWORN to before me this 26<sup>th</sup> day of June, 1990.

  
AMELIA LESLIE  
NOTARY PUBLIC - OREGON  
My Commission Expires 1-10-94

  
Notary Public for Oregon  
My Commission Expires: 1-10-94

- Page 1 (BRY2A)

Gray Fancher-Holmes-Hurley-Bryant & Lovlieu  
Attorneys At Law

40 N.W. Greenwood PO Box 1151 Bend, Oregon 97709-1151 (503) 582-4571 Telex/copier (503) 589-5586

90 JUN 27 PM 3 48

## NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT

Seller under the Contract described below declares Purchaser is in default for the reasons set forth herein.

## 1. DESCRIPTION OF CONTRACT:

- (a) PURCHASER: DARRELL D. DeLASHMUTT and ARLENE S. DeLASHMUTT
- (b) SELLER: KATHLEEN BRYSON
- (c) MEMORANDUM OF CONTRACT RECORDED: August 16, 1989, in Book M89 at Page 15178, Klamath County, Oregon, Deed Records.
- (d) PROPERTY COVERED BY CONTRACT: All that portion of the NW1/4 SW1/4 of Section 27, Township 23 South, Range 10 East of the Willamette Meridian, lying Easterly of the Great Northern Railway right of way, EXCEPTING THEREFROM the Northerly 40 feet as reserved in deed Volume M68, Page 7608, Deed Records of Klamath County, Oregon.

## 2. NATURE AND AMOUNT OF DEFAULT: Failure to pay:

- (a) The regular monthly payment due June 10, 1990, in the amount of \$396.45.
- (b) The \$10,000.00 principal payment due October 11, 1989.
- (c) Failure to pay real property taxes.

## 3. SUM OWING ON OBLIGATION: Principal balance of \$39,478.64 with interest at ten percent (10%) per annum from June 10, 1990 until paid.

## 4. DATE AFTER WHICH CONTRACT FORFEITED IF DEFAULT NOT CURED: Unless the default is cured as set forth in paragraph 5 of this Notice, the Purchaser and all persons claiming through the Purchaser shall have no further rights in the contract or the property and no person shall have any right to redeem the property; and all sums previously paid under the contract by or on behalf of the Purchaser shall belong to and be retained by the Seller or other person to whom paid.

## 5. CURE OF DEFAULT TO AVOID FORFEITURE: Notice is given that forfeiture may be avoided under the Contract by curing the defaults by payment of the entire amount due, other than such portions of principal as would not then be due had no default occurred, and tendering performance of other obligations in

- Page 1 NOTICE OF DEFAULT & FORFEITURE OF CONTRACT (BRY22)

Gray Fancher Holmes Hurley Bryant & Lovlien  
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default, together with costs and expenses actually incurred in enforcing the contract on or before 60 days from the date of this Notice, August 29, 1990.

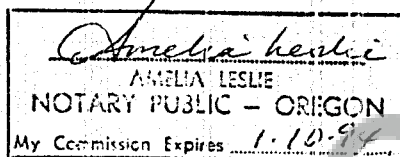
6. NAME AND ADDRESS OF SELLER'S ATTORNEY: Gray, Fancher, Holmes, Hurley, Bryant & Lovlien, 40 NW Greenwood Avenue, P. O. Box 1151, Bend, Oregon 97709-1151.



Daniel C. Re, OSB #80348  
Of Attorneys for Seller

STATE OF OREGON, County of Deschutes: ss.

The foregoing instrument was acknowledged before me this 26 day of June, 1990, by Daniel C. Re.



Amelia Leslie  
Notary Public for Oregon

My Commission Expires: 1-10-94

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 27th day of June A.D. 19 90 at 3:48 o'clock PM. and duly recorded in Vol. M90 of Mortgages on Page 12669

FEE \$18.00

Evelyn Biehn, County Clerk

By Quinn Muckelbauer

- Page 2 NOTICE OF DEFAULT & FORFEITURE OF CONTRACT (BRY2)

Return to →

Gray Fancher Holmes Hurley Bryant & Lovlien  
Attorneys At Law

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