

K-43020
DECLARATION OF FORFEITURE

STATE OF OREGON)
) ss.
County of Klamath)

I, JAMES R. UERLINGS, being first duly sworn depose and say that I am the attorney for Bank of California, as Trustee, Seller under a Contract between said parties as vendor, and Bernard P. Rethwisch, aka, Barnard P. Rethwisch, purchaser. Said contract was recorded December 1, 1982, in Volume M 82, page 16466 Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon, :

Lot 7, Block 10, Mt. Scott Meadow according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon.

TOGETHER with all improvements on said real property presently existing or which may be hereafter added to said real property.

AN AMENDED NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT was mailed by first class mail and certified mail, return receipt requested to Purchaser on May 1, 1991. Copies of said NOTICE AND PROOF OF MAILING of said NOTICE are attached hereto.

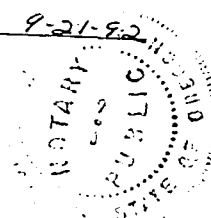
The defaults of the Purchaser under the terms of the contract were not cured within the time period provided in ORS 93.915 and the contract has been forfeited.

James R. Uerlings
JAMES R. UERLINGS #76030

SUBSCRIBED AND SWORN to before me this 11th day of July 1991.

Nick L. Young
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-21-92

AFTER RECORDING RETURN TO:
James R. Uerlings
110 North Sixth Street
Klamath Falls, OR 97601



Seller under the Contract described below declares Purchaser is in default for the reasons set forth herein under ORS 93.905 through 93.945.

1. DESCRIPTION OF CONTRACT:

(A) PURCHASER: BERNARD P. RETHWISCH, aka BARNARD P. RETHWISCH
 (B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee
 (C) CONTRACT RECORDED: 12-1-82, vol. M82, Page 16466, Deed of records of Klamath County, dated 4-10-82
 (D) AMOUNT AND TERMS OF CONTRACT: \$6,600.00. \$300.00 down, balance of \$6,300.00 at \$97.83 per month starting 8-28-82 until paid including 14% interest per annum.
 (E) PROPERTY COVERED BY CONTRACT: Lot 7 in Block 10, Mt. Scott Meadow, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.
 2. NATURE AND AMOUNT OF DEFAULT: Failure to pay: (A) 105 regular monthly payments at \$97.83 or a total of \$10,272.15. (B) Real property taxes in the sum of \$1,135.15 plus interest to date.
 3. SUM OWING ON OBLIGATION: Principal balance of \$6,300.00 with interest at 14% percent per annum from 4-10-82, plus taxes, attorney fees, and foreclosure costs.
 4. DATE AFTER WHICH CONTRACT FORFEITED IF DEFAULT NOT CURED: 7-10-91
 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. 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 under the terms of the contract.
 5. CURE OF DEFAULT TO AVOID FORFEITURE:
 Notice is given that forfeiture may be avoided under the Contract by curing the default(s) by payment of the entire amount due, other than such portion of principal as would not then be due had no default occurred, and tendering performance of other obligations in default, together with costs and expenses actually incurred in enforcing the contract on or before 7-10-91. AMOUNT TO CURE: \$11,975.30 as of 4-23-91.
 6. NAME AND ADDRESS OF SELLER'S ATTORNEY: (Address to Remit Payment)

James R. Uerlings, BOIVIN, JONES & UERLINGS
 110 N. Sixth Street, Suite 209
 Klamath Falls, OR 97601

A copy of this Notice, together with an Affidavit of Mailing shall be recorded.

James R. Uerlings
 JAMES R. UERLINGS OSB #76030
 Attorney for Seller

STATE OF OREGON)
) ss.
 County of Klamath)

On this 1 day of May, 1991, personally appeared before me the above named JAMES R. UERLINGS and acknowledged the above to be his voluntary act and deed.

Richard J. Hargrett
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: 9-21-92

PROOF OF MAILING NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT

STATE OF OREGON)
) ss.
 COUNTY OF KLAMATH)

I, James R. Uerlings, being first duly sworn, depose and say: That I am the attorney for The Bank of California, N.A., Seller under a Contract between said parties, The Bank of California, N.A., as Trustee, and BERNARD P. RETHWISCH, as buyer. The contract was recorded 12-1-82, in Volume M82, Page 16466, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lot 7 in Block 10, Mt. Scott Meadow, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Together with all improvements on said real property presently existing or which may be hereafter added to said real property.

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 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.

BERNARD P. RETHWISCH
 3816-2 KAIHUKI AVENUE
 HONOLULU, HI 96816

Dated this 1 day of May, 1991.

James R. Uerlings
 JAMES R. UERLINGS

SUBSCRIBED and SWORN to before me this 1 day of May, 1991.

Richard J. Hargrett
 NOTARY PUBLIC FOR OREGON

My commission expires: 9-21-92

AFTER RECORDING RETURN TO:

James R. Uerlings
 110 N. 6th Street
 Klamath Falls, OR 97601

STATE OF OREGON: COUNTY OF KLAMATH:

Filed for record at request of Klamath County Title Co. the 1st day
 of May A.D., 19 91 at 3:44 o'clock PM., and duly recorded in Vol. M91,
 of Mortgages on Page 8117.

FEE \$8.00

Evelyn Biehn, County Clerk

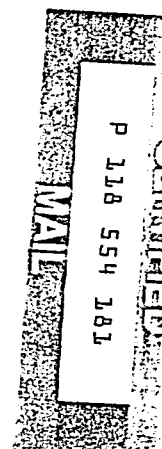
By *Evelyn Biehn*

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BOVIN, JONES & UERLINGS
ATTORNEYS AT LAW
110 N. SIXTH STREET
KLAMATH FALLS, OREGON 97601-0215



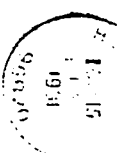
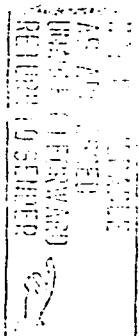
BERNARD P. RETHWISCH
3816-2 KAIMUKI AVENUE
HONOLULU, HI 96816

11th May 1991

11th May 1991



BOVIN, JONES & UERLINGS
ATTORNEYS AT LAW
110 N. SIXTH STREET
KLAMATH FALLS, OREGON 97601-0215



BERNARD P. RETHWISCH
3816-2 KAIMUKI AVENUE
HONOLULU, HI 96816

RECEIVED MAY 20 1991

11th May 1991

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 11th day
of July A.D., 19 91 at 3:54 o'clock P M., and duly recorded in Vol. M91
of Mortgages on Page 13531

FEE \$18.00

Evelyn Biehn County Clerk
By Dorine Mendenhall