

K-43015
DECLARATION OF FORFEITURE

STATE OF OREGON)

County of Klamath)

) ss.

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 Rise C. Sushereba, purchaser. Said contract was recorded December 1, 1982, in Volume M 82, page 16357, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon, :

Lots 5, 6, 7 and 8, Block 5, 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.

A 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.

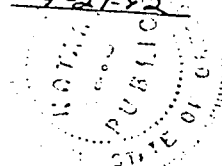
The defaults of the Purchaser under the terms of the contract were not cured within the time period provided in ORS 93.915 and the contract has been forfeited.

James R. Uerlings
JAMES R. UERLINGS #76030

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

Clark H. 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



28888
NOTICE OF DEFAULT AND FORFEITURE

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13535
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: RISE C. SUSHERBA
(B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee
(C) CONTRACT RECORDED: 12-1-82, vol. M82, Page 16357, Deed of records of Klamath County, dated 7-1-81
(D) AMOUNT AND TERMS OF CONTRACT: \$24,300.00. \$1,200.00 down, balance of \$23,100.00 at \$358.68 per month starting 10-20-81 until paid including 14% interest per annum.
(E) PROPERTY COVERED BY CONTRACT: Lots 5, 6, 7, and 8 in Block 5, 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) 114 regular monthly payments at \$358.68 or a total of \$40,889.52. (B) Real property taxes in the sum of \$4540.60 plus interest to date.
3. SUM OWING ON OBLIGATION: Principal balance of \$23095.73 with interest at 14% percent per annum from 10-30-81, 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: \$46,040.12 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.

STATE OF OREGON)
County of Klamath) ss.

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

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

PROOF OF MAILING NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT

STATE OF OREGON)
COUNTY OF KLAMATH) ss.

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 RISE C. SUSHERBA, as buyer. The contract was recorded 12-1-82, in Volume M82, Page 16357, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lots 5, 6, 7, and 8 in Block 5, 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.

RISE C. SUSHERBA
95-431 KUAHELANI #124
HILILANI TOWN, HI 96789

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 L. Haring
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: ss.

Filed for record at request of Klamath County Title Co.
of May A.D. 19 91 at 3:44 o'clock P.M., and duly recorded in Vol. M91
of Mortgages on Page 8109

FEE \$8.00

Evelyn Biehn
By Evelyn Biehn County Clerk

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

P 118 554 120

MAIL

RECEIVED MAY 16 1991

RISE C. SUSEREBA
95-431 KUAEHLANI #124
MILILANI TOWN, HI 96789

UNABLE TO FORWARD
RETURN TO SENDER

MAY 16 1991
96789

SUSHERBA 957491004 IN 05/08/91
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

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

UNABLE TO FORWARD
RETURN TO SENDER

MAY 16 1991
96789

RISE C. SUSEREBA
95-431 KUAEHLANI #124
MILILANI TOWN, HI 96789

RECEIVED MAY 20 1991

SUSHERBA 957491004 IN 05/08/91
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

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 13534

FEE \$18.00

Evelyn Biehn County Clerk

By Pauline M. Mendenhall