

31837

K-43069
DECLARATION OF FORFEITURE

Vol. m91 Page 13552

STATE OF OREGON)

County of Klamath)

ss.

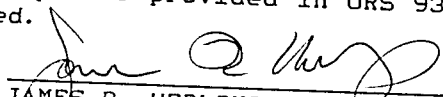
I, JAMES R. UERLINGS, being first duly sworn depose and say that I am the attorney for Bank of California, as Trustee, Seller under a Contract between said parties as vendor, and Patrick R. Haggerty and Terry H. Haggerty, Purchaser. Said Contract was recorded November 30, 1982, in Volume M 82, page 16227, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon, :

Lots 15 and 16, Block 1, Mt. Scott Meadow according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon.

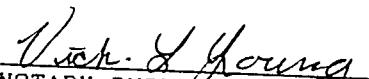
TOGETHER with all improvements on said real property presently existing or which may be hereafter added to said real property.

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 #76030

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


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

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20074

K-43609
NOTICE OF DEFAULT AND FORFEITURE

Vol. M91 Page 8115

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

13553

1. DESCRIPTION OF CONTRACT:
 - (A) PURCHASER: PATRICK R. HAGGERTY & TERRY H. HAGGERTY
 - (B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee
 - (C) CONTRACT RECORDED: 11-30-82, vol. 82, Page 16227, Deed of records of Klamath County, dated 7-29-81
 - (D) AMOUNT AND TERMS OF CONTRACT: \$12,000.00. \$1200.00 down, balance of \$10,800.00 at \$154.96 per month starting 10-1-81 until paid including 12% interest per annum.
 - (E) PROPERTY COVERED BY CONTRACT: Lots 15 and 16 in Block 1, 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) 101 regular monthly payments at \$154.96 or a total of \$15,650.96. (B) Real property taxes in the sum of \$2,270.66 plus interest to date.
3. SUM OWING ON OBLIGATION: Principal balance of \$10,180.72 with interest at 12% percent per annum from 12-21-80, plus taxes, attorney fees, and foreclosure costs.
4. DATE AFTER WHICH CONTRACT FORFEITED IF DEFAULT NOT CURED: 7-10-91
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: \$18,489.62 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)
County of Klamath) ss.

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.

Nick J. Young
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 PATRICK R. HAGGERTY & TERRY H. HAGGERTY, as buyer. The contract was recorded 11-30-82, in Volume 82, Page 16227, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lots 15 and 16 in Block 1, 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.

PATRICK R. HAGGERTY & TERRY H. HAGGERTY
94-625 KAUAKAPUU LOOP
MILILANI, 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.

Nick J. Young
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. the 1st day of May A.D., 19 91 at 3:44 o'clock P.M., and duly recorded in Vol. M91 of Mortgages on Page 8115.

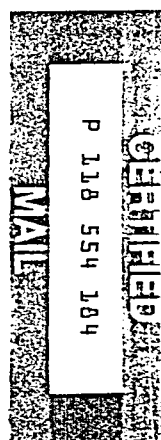
Evelyn Biehn, County Clerk
By *Pauline M. Mendenhall*

FEE \$8.00

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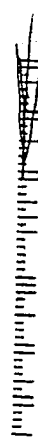
13554

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

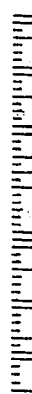
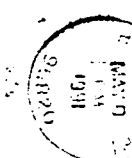
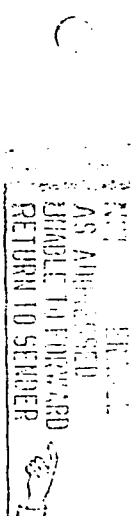


PATRICK R. HAGGERTY AND TERRY H. HAGGERTY
94-625 KAUAKAPUU LOOP
MILILANI TOWN, HI 96789

RECEIVED MAY 10 1991



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



PATRICK R. HAGGERTY AND TERRY H. HAGGERTY
94-625 KAUAKAPUU LOOP
MILILANI TOWN, HI 96789

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 PM., and duly recorded in Vol. M91
of Mortgages on Page 13552.

FEE \$18.00

Evelyn Biehn County Clerk

By Daniel M. Minder