

28864

K-43010  
NOTICE OF DEFAULT AND FORFEITURE

Seller under the Contract described below declares Purchaser is in default for the reasons set forth herein under ORS 93.905 through 93.945. Vol. 91 Page 8105

13582

1. DESCRIPTION OF CONTRACT: (A) PURCHASER: SILVINO P. TOLENTINO and SYLVIA H. TOLENTINO (B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee (C) CONTRACT RECORDED: 4-4-83, vol. M83, Page 4908, Deed of records of Klamath County, dated 3/10/83 (D) AMOUNT AND TERMS OF CONTRACT: \$6,000.00; \$300 down, balance of \$5700 at \$81.79 per month starting 5/1/83 until paid including 12% interest per annum. (E) PROPERTY COVERED BY CONTRACT: Lot 13 in Block 2, 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) 76 regular monthly payments at \$81.79 or a total of \$6216.04. (B) Real property taxes in the sum of \$992.88 plus interest to date.
3. SUM OWING ON OBLIGATION: Principal balance of \$5144.60 with interest at 12% percent per annum from date of last payment 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: 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.
6. NOTICE 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: \$7776.92 as of 4-23-91.
7. NAME AND ADDRESS OF SELLER'S ATTORNEY: (TENDER PAYMENT TO THIS ADDRESS)  
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 #7630  
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.

*Jack D. 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., Trustee, Seller under a Contract between said parties. The Bank of California, N.A., as Trustee, and Silvino P. Tolentino and Sylvia H. Tolentino, as buyers. The contract was recorded 4/4/83, in Volume M83, Page 4908, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:  
Lot 13 in Block 2, 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.  
SILVINO P. TOLENTINO and SYLVIA H. TOLENTINO  
1956C Gillespie Circle  
Honolulu, HI 96818  
Dated this 1 day of May, 1991.

SUBSCRIBED and SWORN to before me this 1 day of May, 1991.  
*Jack D. Young*  
NOTARY PUBLIC FOR OREGON  
My commission expires: 9-21-92

*James R. Uerlings*  
JAMES R. UERLINGS

## 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.  
on this 1st day of May A.D., 19 91  
at 3:44 o'clock PM. and duly recorded  
in Vol. M91 of Mortgages Page 8105  
Evelyn Biehn County Clerk  
By *Caroline G. Anderson*

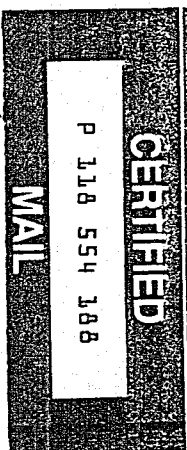
Fee. \$8.00

INDEXED

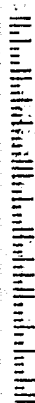
Deputy.

D ✓ | ✓

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



SILVINO P. TOLENTINO  
SYLVIA K. TOBENTINO  
1956C GILLESPIE CIRCLE  
HONOLULU, HI 96818



377098	Claim Check
5/7	1st Notice
5/14	2nd Notice
5/22	Return
5/22	Return

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 3:55 o'clock P M., and duly recorded in Vol. M91  
of Mortgages on Page 13581

FEE \$18.00

Evelyn Biehn, County Clerk

By C. Andrew Mueller