

## DECLARATION OF FORFEITURE

County of Klamath

**\$5.**

Lot 14 in Block 23, 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 property.

A NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT was mailed by first class mail and certified mail, return receipt requested to Purchaser on June 17, 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 with 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 2d day of October, 1991.

NOTARY PUBLIC FOR OREGON

My Commission Expires: 9-10-93

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

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

20273

1. DESCRIPTION OF CONTRACT:

(A) PURCHASER: DAVID OSCAR CALDERON & PATRICIA FORWOOD

(B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee

(C) CONTRACT RECORDED: 12-3-82, vol. M82, Page 17067, Deed of records of Klamath County, dated 5-19-81

(D) AMOUNT AND TERMS OF CONTRACT: \$6000. \$300 down, balance of \$10321.20 at \$88.51 per month starting 7-15-81 until paid including 14% interest per annum.

(E) PROPERTY COVERED BY CONTRACT: Lot(s) 14 in Block 23, 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) 60 regular monthly payments at \$88.51 or a total of \$5346.16. (B) Real property taxes in the sum of \$2270.30 plus interest to date.

3. SUM OWING ON OBLIGATION: Principal balance of \$5617.39 with interest at 14% percent per annum from 9-16-83, plus taxes, attorney fees, and foreclosure costs.

4. DATE AFTER WHICH CONTRACT FORFEITED IF DEFAULT NOT CURED: 9-30-91

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 9-30-91. AMOUNT TO CURE: \$8234.46 as of 4-30-91.

6. NAME AND ADDRESS OF SELLER'S ATTORNEY: (Address to Remit Payment)

Ref 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 OSB #76030  
Attorney for Seller

STATE OF OREGON

County of Klamath

ss.

On this 13 day of June, 1991, personally appeared before me the above named JAMES R. UERLINGS and acknowledged the above to be his voluntary act and deed.

NOTARY PUBLIC FOR OREGON  
My Commission Expires: 1-1-94

PROOF OF MAILING NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT

STATE OF OREGON

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 DAVID OSCAR CALDERON & PATRICIA FORWOOD, as buyer. The contract was recorded 12-3-82, in Volume M82, Page 17067, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lot(s) 14 in Block 23, 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.

DAVID OSCAR CALDERON & PATRICIA FORWOOD  
1070 AALAPAPA DRIVE  
KAILUA, HI 96734

Dated this 17 day of June, 1991.

JAMES R. UERLINGS

SUBSCRIBED and SWORN to before me this 17 day of June, 1991.

NOTARY PUBLIC FOR OREGON  
My commission expires: 1-1-94

STATE OF OREGON: COUNTY OF KLAMATH:

Filed for record at request of KCTC the 17th day  
of June A.D. 19 91 at 1:24 o'clock P.M. and duly recorded in Vol. M91  
of Mortgages on Page 11482

Evelyn Biehn - County Clerk

FEE

\$8.00

INDEXED

By James R. Uerlings

20274

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:  
DAVID OSCAR CARLSON  
PATRICIA FORWOOD  
1070 PALAPAPA DR.  
KAILUA, HI 96734

4. Article Number  
P 118 554 198

Type of Service:  
☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address  
*[Signature]*

6. Signature - Agent  
X

7. Date of Delivery  
6/21/91

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ KCTC \_\_\_\_\_ the 4th \_\_\_\_\_ day  
 of \_\_\_\_\_ October \_\_\_\_\_ A.D., 19 91 at 11:28 o'clock A. M., and duly recorded in Vol. M91  
 of \_\_\_\_\_ Mortgages \_\_\_\_\_ on Page 20272

Evelyn Biehn. County Clerk

By *[Signature]*

FEE \$18.00