

35558

K-43219

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 James William Cox & Takeko Iha Cox, as Purchasers. Said Contract was recorded 12-2-82, in Volume M82, page 16728, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lots 19 & 20, in block 17, 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 Purchasers on June 17, 1991. Copies of said NOTICE AND PROOF OF MAILING of said NOTICE are attached hereto.

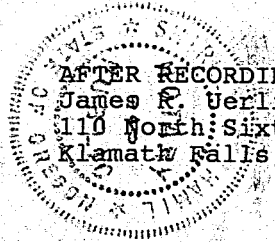
The defaults of the Purchaser under the terms of the contract were not cured with the time period provided in ORS 93.915 and the contract has been forfeited.

James R. Uerlings
JAMES R. UERLINGS #76030

SUBSCRIBED AND SWORN to before me this 2d day of October, 1991.

Sheldon F. Hamil
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-17-93

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



62 11 AM 4 130 16

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

20285

1. DESCRIPTION OF CONTRACT:
 - (A) PURCHASER: JAMES WILLIAM COX & TAKEKO IHA COX
 - (B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee
 - (C) CONTRACT RECORDED: 12-2-82, vol. M82, Page 16728, Deed of records of Klamath County, dated 7-30-81
 - (D) AMOUNT AND TERMS OF CONTRACT: \$12600. \$630 down, balance of \$20625.60 at \$171.88 per month starting 10-15-81 until paid including 12% interest per annum.
 - (E) PROPERTY COVERED BY CONTRACT: Lot(s) 19 & 20 in Block 17, 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) 90 regular monthly payments at \$171.88 or a total of \$15469.20. (B) Real property taxes in the sum of \$2270.30 plus interest to date.
3. SUM OWING ON OBLIGATION: Principal balance of \$11210.85 with interest at 12% percent per annum from 11-20-82, 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 to whom paid under the contract by or on behalf of the Purchaser shall belong to and be retained by the Seller or other person
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 \$18357.50 as of 4-30-91.
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 #78030
Attorney for Seller

STATE OF OREGON)
County of Klamath) ss.

On this 14 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 Seal
NOTARY PUBLIC FOR OREGON
My Commission Expires: 1-11-94

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 JAMES WILLIAM COX & TAKEKO IHA COX, as buyer. The contract was recorded 12-2-82, in Volume M82, Page 16728, Deed Records, Klamath County, Oregon, covering the following

Lot(s) 19 & 20 in Block 17, 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.

JAMES WILLIAM COX & TAKEKO IHA COX
45-417. PAIAKA PLACE
KANEHOE, HI 96744

Dated this 14 day of June, 1991.

James R. Uerlings
JAMES R. UERLINGS

SUBSCRIBED and SWORN to before me this 17 day of June

Notary Seal
NOTARY PUBLIC FOR OREGON
My commission expires: 1-11-94



STATE OF OREGON: COUNTY OF KLAMATH:

Filed for record at request of KCTC
of June A.D. 19 91 at 1:23 o'clock P. the 17th day
of Mortgages on Page 11472

FEE
\$8.00

INDEXED

Evelyn Biehn
By Paula M. ... County Clerk

20286

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

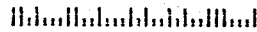
RECEIVED JUN 26 1991

JAMES WILLIAM COX & TAKEKO IHA COX
45-417 PAIAKA PLACE
KANEHOE, HI 96744

FOE



VERIFIED
ADDRESS
BY
SENDER



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

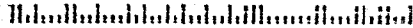
CERTIFIED
P 335 310 266
MAIL

RECEIVED JUN 26 1991

UNDELIVERABLE AS ADDRESSEE
FORWARDING ORDER EXPIRES

JAMES WILLIAM COX & TAKEKO IHA COX
45-417 PAIAKA PLACE
KANEHOE, HI 96744

UNDELIVERABLE AS ADDRESSEE
FORWARDING ORDER EXPIRES



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of KCTC the 4th day
of October A.D., 19 91 at 11:29 o'clock A. M., and duly recorded in Vol. M91
of Mortgages on Page 20284

FEE \$18.00

Evelyn Biehn County Clerk
By Ruth Millender