

36772  
35556

Vol. m91 Page 22805

Vol. m91 Page 20278

K-43194

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 Jurry A. Batangan, aka Jerry A. Batangan, as Purchaser. Said Contract was recorded 1-13-83, in Volume M83, page 559, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lot 1, Block 26, Mt. Scott Meadow, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

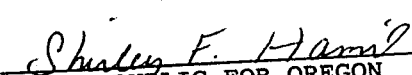
Together with all improvements on said real property presently existing or which may be hereafter added to said property.

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.

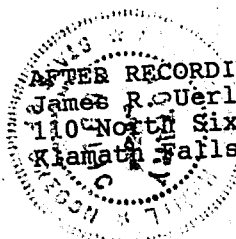
The defaults of the Purchaser under the terms of the contract were not cured with the time period provided in ORS 93.915 and the contract has been forfeited.

  
JAMES R. UERLINGS #76030

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

  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 9-10-93

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



1991 OCT 29 AM 9 40  
1991 OCT 31 10 10

20277

**CERTIFIED**

P 118 554 199

## MAIL



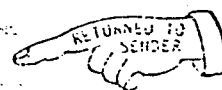
Under SECRET crossed L. Baumgardner  
 Attention: Mr. Baumgardner  
 All other known Wahel I. Baumgardner  
 All other addresses 05-2047 Wai'alana'i Pl  
 No such street  
 No such office in state Wahel HI 96-01  
 Do not remain in this envelope Wahel

No apf #  
Insufficient  
by Helms  
8405-11

RECEIVED JUL - 1 1991

RECEIVED JUL - 3 1991

Alfred L. Baumgardner  
Mabel I. Baumgardner  
95-2047 Waikalani Pl  
Wah, HI 96731

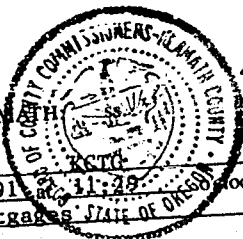


REASON CHECKED

Unclaimed \_\_\_\_\_ Refused \_\_\_\_\_  
 Attempted Not Made \_\_\_\_\_  
 Insufficient Address \_\_\_\_\_  
 No such person \_\_\_\_\_  
 No such street \_\_\_\_\_  
 No such place \_\_\_\_\_  
 No such mail in this envelope \_\_\_\_\_

UNRECOVERABLE  
RECEIVED  
TO FORWARD  
TO SENDER

JUN 23  
 11-  
 1991  
 9585



STATE OF OREGON: COUNTY OF KLAN

STATE OF OREGON: COUNTY OF KLANATH

Filed for record at request of \_\_\_\_\_ the \_\_\_\_\_ 4th day  
of \_\_\_\_\_ A.D., 19 91, at 11:29 AM, and duly recorded in Vol. M91  
of \_\_\_\_\_ on Page 20275  
of \_\_\_\_\_ Mortgages STATE OF OREGON  
Evelyn Biehn County Clerk

**FEE \$18.00**

INDEXED

D ✓ 1 ✓

STATE OF OREGON: COUNTY OF KLAMATH: SS.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 31st day  
of Oct., A.D., 19 91 at 9:40 o'clock A. M., and duly recorded in Vol. M91  
of \_\_\_\_\_ of Deeds on Page 22802.  
Evelyn Biehn, County Clerk

FEE none

(Being Re-Recorded to put in Deed Records)

Seller under the Contract described below declares Purchaser is in default for the reasons set forth herein under ORS 92.805 through 93.945.

22803  
20276

1. DESCRIPTION OF CONTRACT:

- (A) PURCHASER: ALFRED L. BAUMGARDNER & MABEL I. BAUMGARDNER  
(B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee  
(C) CONTRACT RECORDED: 12-3-82, vol. M82, Page 17055, Deed of records of Klamath County, dated 8-21-82  
(D) AMOUNT AND TERMS OF CONTRACT: \$6000. \$300 down, balance of \$10621.20 at \$88.51 per month starting 10-20-82 until paid including 14% interest per annum  
(E) PROPERTY COVERED BY CONTRACT: Lot(s) 8 in Block 24, 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) 88 regular monthly payments at \$88.51 or a total of \$7788.88. (B) Real property taxes in the sum of \$1985.76 plus interest to date.  
3. SUM OWING ON OBLIGATION: Principal balance of \$5637.70 with interest at 14% percent per annum from 2-1-83, 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: \$10592.64 as of 4-30-91.  
6. NAME AND ADDRESS OF SELLER'S ATTORNEY: (Address to Remit Payment)

James R. Uerlings, BOIVIN, JONES & UERLINGS  
Rel. 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

ss.

County of Klamath

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: 1-11-94

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 ALFRED L. BAUMGARDNER & MABEL I. BAUMGARDNER, as buyer. The contract was recorded 12-3-82, in Volume M82, Page 17055, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lot(s) 8 in Block 24, 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.

ALFRED L. BAUMGARDNER & MABEL I. BAUMGARDNER  
95-2047 WAIKALAU PL  
WAH, HI 96781

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: 1-11-94



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of KCTC the 17th day of June A.D. 19 91 at 1:22 o'clock P. M., and duly recorded in Vol. M91 of Mortgages on Page 11456.

FEE

8.00

INDEXED

Evelyn Biehn County Clerk  
By James R. Uerlings