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K-44455

Vol. m93 Page 1409

## DECLARATION OF FORFEITURE

STATE OF OREGON )

) ss.

County of Klamath )

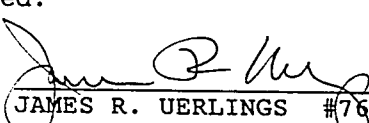
I, JAMES R. UERLINGS, being first duly sworn depose and say that I am the attorney for Bank of California, as Trustee, under a Contract between said party as vendor, and Kenneth E. Friday & Anita P. Friday, as Purchasers. Said Contract was recorded 1-12-83, in Volume M83, page 533, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lot 15 in Block 24, Mt. Scott Meadows Subdivision, Tract 1027, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

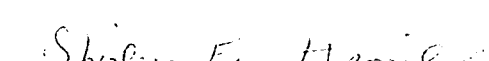
Together with all improvements on said real property presently existing or which may be hereafter added to said property.

A NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT was mailed by first class mail and certified mail, return receipt requested to Purchasers on October 1, 1992. Copies of said NOTICE AND PROOF OF MAILING of said NOTICE are attached hereto.

The defaults of the Purchasers 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 15 day of January, 1993.

  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 9-18-93

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

## NOTICE OF DEFAULT AND FORFEITURE

1410

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

## 1. DESCRIPTION OF CONTRACT:

(A) PURCHASER: Kenneth E. Friday & Anita P. Friday, husband and wife  
 (B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee  
 (C) CONTRACT RECORDED: 1-12-83, vol. M83 Page 533, Deed of records of Klamath County, dated 11-8-82  
 (D) AMOUNT AND TERMS OF CONTRACT: \$6,000.00. \$300.00 down, balance of \$5,700.00 at \$88.51 per month starting 2-1-83 until paid including 14% interest per annum.  
 (E) PROPERTY COVERED BY CONTRACT: Lot 15 in Block 24, Mt. Scott Meadows Subdivision, Tract 1027, 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.

2. NATURE AND AMOUNT OF DEFAULT: Failure to pay: (A) 80 regular monthly payments at \$88.51 per month for a total past due of \$7,080.80, plus (B) Real property taxes advanced by seller in the sum of \$1,099.67 (C) plus interest to date of payment (D) plus payments due after 9-1-92.

3. SUM OWING ON OBLIGATION: Principal balance of \$4,837.85 with interest at 14% percent per annum from 3-2-86, plus taxes, attorney fees, and foreclosure costs.

4. DATE AFTER WHICH CONTRACT FORFEITED IF DEFAULT NOT CURED:  
 Unless the default is cured as set forth in paragraph 5 of this Notice, after 1-13-93 the Purchaser and all persons claiming through the Purchaser shall have no further rights in the contract on the property and no person shall have any right to redeem the property; and 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.

## 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 1-13-93. AMOUNT TO CURE: \$8,810.47, plus interest until paid, plus payments due after 9-1-92.

## 6. NAME AND ADDRESS OF SELLER'S ATTORNEY:

James R. Uerlings, BOIVIN, JONES, UERLINGS & DIACONI, Attorneys  
 110 N. Sixth Street  
 Klamath Falls, OR 97601 (503)884-8101

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 )  
 ) ss.  
 County of Klamath )

On this 13<sup>th</sup> day of Oct, 1992, personally appeared before me the above named JAMES R. UERLINGS and acknowledged the above to be his voluntary act and deed.

*Shirley F. Hamel*  
 NOTARY PUBLIC FOR OREGON  
 My Commission Expires: 4-10-93

PROOF OF MAILING NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT

STATE OF OREGON )  
 ) ss.  
 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 Kenneth E. Friday & Anita P. Friday, as buyers. The contract was recorded 1-12-83, in Volume M83, Page 533, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lot 15 in Block 24, Mt. Scott Meadows Subdivision, Tract 1027, 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.

Kenneth E. Friday  
 Anita P. Friday  
 6522 103rd Street  
 Eva Beach, HI 96706

Dated this 15<sup>th</sup> day of Oct, 1992.

*James R. Uerlings*  
 JAMES R. UERLINGS

SUBSCRIBED and SWORN to before me this 13<sup>th</sup> day of Oct, 1992.

*Shirley F. Hamel*  
 NOTARY PUBLIC FOR OREGON  
 My commission expires: 4-10-93

AFTER RECORDING RETURN TO:  
 James R. Uerlings  
 110 N. 6th St.  
 Klamath Falls, OR 97601



BOIVIN, JONES, UERLING &  
DIACONI

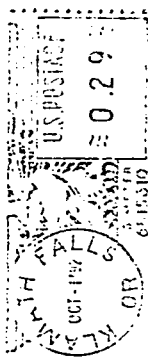
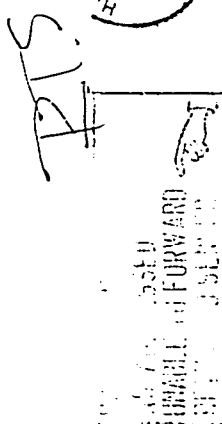
ATTORNEYS AT LAW

110 N. SIXTH STREET

KLAMATH FALLS, OREGON 97601-6028

NEW ADDRESS

Kenneth E. Friday  
Anita P. Friday  
6522 103rd Street  
Ewa Beach, HI 96706



REASON CHECKED  
Unclaimed ☒ Refused ☒  
Addressee unknown ☒  
Insufficient Address ☒  
No such street ☒  
No such office in state ☒  
Do not remain in this envelope

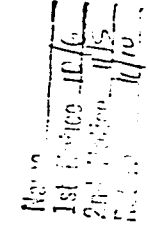
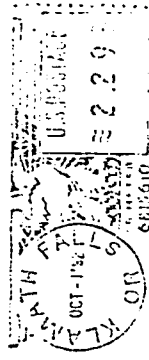
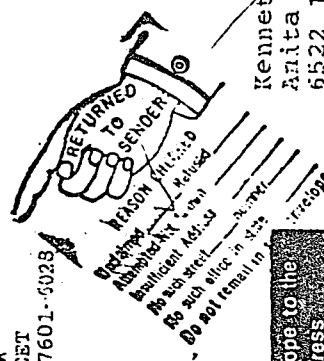
KLAMATH FALLS, OREGON 97601-6028

BOIVIN, JONES, UERLING &  
DIACONI

ATTORNEYS AT LAW

110 N. SIXTH STREET

KLAMATH FALLS, OREGON 97601-6028



Kenneth E. Friday  
Anita P. Friday  
6522 103rd Street  
Ewa Beach, HI 96706

Fold at line over top of envelope to the  
right of this return address

CERTIFIED

P 062 576 901

MAIL

KLAMATH FALLS, OREGON 97601-6028

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 20th day  
of Jan. A.D., 19 93 at 10:00 o'clock A M., and duly recorded in Vol. M93  
of Deeds on Page 1409

FEE \$40.00 Evelyn Biehn County Clerk

By [Signature]