

56592

K-44429

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 Dionisio F. Tabora & Tonie L. Tabora, as Purchasers. Said Contract was recorded 11-30-82, in Volume M82, page 16167, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lot 22 in Block 3, 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.

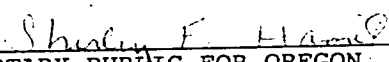
Together with all improvements on said real property presently existing or which may be hereafter added to said property.

A NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT was mailed by first class mail and certified mail, return receipt requested to Purchaser on October 1, 1992. 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 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 15th day of January, 1993.


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

NOTICE OF DEFAULT AND FORFEITURE

1413

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: Dionisio F. Tabora & Tonie L. Tabora, husband and wife
 (B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee
 (C) CONTRACT RECORDED: 11-30-82, vol. M82, Page 16167, Deed of records of Klamath County, dated 11-12-81
 (D) AMOUNT AND TERMS OF CONTRACT: \$6,600.00. \$600.00 down, balance of \$6,000.00 at \$86.09 per month starting 1-15-82 until paid including 12% interest per annum.
 (E) PROPERTY COVERED BY CONTRACT: Lot 22 in Block 3, 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) 84 regular monthly payments at \$86.09 per month for a total past due of \$7,231.56, plus (B) Real property taxes advanced by seller in the sum of \$1,102.55 (C) plus interest to date of payment.

3. SUM OWING ON OBLIGATION: Principal balance of \$4,793.99 with interest at 12% percent per annum from 11-5-84, plus taxes, attorney fees, and foreclosure costs.

4. DATE AFTER WHICH CONTRACT FORFEITED IF DEFAULT NOT CURED: 1-13-93

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: \$8,964.11, plus interest until paid.

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)
 County of Klamath) ss.

On this 134 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. Hamil
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: 9-10-93

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 Dionisio F. Tabora & Tonie L. Tabora, as buyers. The contract was recorded 11-30-82, in Volume M82, Page 16167, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lot 22 in Block 3, 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.

Dionisio F. Tabora
 Tonie L. Tabora
 1132-A Crossandra Pl.
 Honolulu, HI 96818

Dated this 134 day of Oct., 1992.

James R. Uerlings
 JAMES R. UERLINGS

SUBSCRIBED and SWORN to before me this 134 day of Oct., 1992.

Shirley F. Hamil
 NOTARY PUBLIC FOR OREGON
 My commission expires: 9-10-93

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

1414

ROVIN, JONES, HENNING &
LAWSON
ATTORNEYS AT LAW
110 N. SIXTH STREET
KLAMATH FALLS, OREGON 97601-3028

Do not write over top of envelope to the
right of the return address

CERTIFIED

P 082 576 903

MAIL

Unknown (976)
Dionisio F. Tabora
Tonic L. Tabora
1132A Crossandra Pl.
Honolulu, HI 96818

ROVIN, JONES, HENNING &
LAWSON
ATTORNEYS AT LAW
110 N. SIXTH STREET
KLAMATH FALLS, OREGON 97601-3028

Dionisio F. Tabora
Tonic L. Tabora
1132A Crossandra Pl.
Honolulu

MAILED 9641003 IN 10/15/92
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

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. 493
of Deeds on Page 1412

FEE \$40.00

Evelyn Biehn County Clerk
By [Signature]