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Vol. m93 Page 2213

K-44432

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, under a Contract between said parties as vendor, and Johnny R. Smith & Katherine L. Smith, as Purchasers. Said Contract was recorded 12-1-82, in Volume M82, page 16439, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lots 8 & 9 in Block 9, 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.

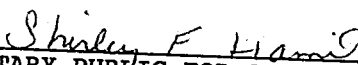
Together with all improvements on said real property presently existing or which may be hereafter added to said property.

A NOTICE OF DEFAULT AND FORFEITURE OF CONTRACT was mailed by first class mail and certified mail, return receipt requested to Purchasers on October 13, 1992. Copies of said NOTICE AND PROOF OF MAILING of said NOTICE are attached hereto.

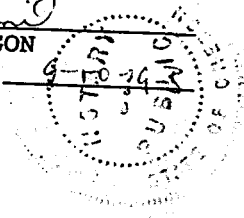
The defaults of the Purchasers under the terms of the contract were not cured within the time period provided in ORS 93.915 and the contract has been forfeited.


JAMES R. UERLINGS #16030

SUBSCRIBED AND SWORN to before me this 27 day of January, 1993.


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



NOTICE OF DEFAULT AND FORFEITURE

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: Johnny R. Smith & Katherine L. Smith, husband and wife
 (B) SELLER: THE BANK OF CALIFORNIA, N.A., as Trustee
 (C) CONTRACT RECORDED: 12-1-82, vol. M82, Page 16439, Deed of records of Klamath County, dated 5-26-82
 (D) AMOUNT AND TERMS OF CONTRACT: \$12,000.00. \$600.00 down, balance of \$11,400.00 at \$177.02 per month starting 8-15-82 until paid including 14% interest per annum.
 (E) PROPERTY COVERED BY CONTRACT: Lots 8 & 9 in Block 9, 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) 78 regular monthly payments at \$177.02 per month for a total past due of \$13,807.56, plus (B) Real property taxes advanced by seller in the sum of \$2,076.33 (C) plus interest to date of payment.

3. SUM OWING ON OBLIGATION: Principal balance of \$9,103.77 with interest at 14% percent per annum from 2-17-86, plus taxes, attorney fees, and foreclosure costs.

4. DATE AFTER WHICH CONTRACT FORFEITED IF DEFAULT NOT CURED: 1-26-93

Unless the default is cured as set forth in paragraph 5 of this Notice, after 1-26-93 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 1-26-93. AMOUNT TO CURE: \$16,513.89, 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 OSB #76030
 Attorney for Seller

STATE OF OREGON

County of Klamath

) ss.

On this 13 day of October, 1992, 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: 4-10-93

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 Johnny R. Smith & Katherine L. Smith, as buyer. The contract was recorded 12-1-82, in Volume M82, Page 16439, Deed Records, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

Lots 8 & 9 in Block 9, 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.

Johnny R. Smith
 Katherine L. Smith
 5122 Likini Street, Apt. #411
 Honolulu, HI 96818

Johnny R. Smith
 Katherine L. Smith
 P. O. Box 2585
 APO New York, N.Y. 01930

Dated this 13 day of October, 1992.


 JAMES R. UERLINGS

SUBSCRIBED AND SWORN to before me this 13 day of October, 1992.


 NOTARY PUBLIC FOR OREGON
 My commission expires:

2215

BOIVIN, JONES, UERLINGS &
 DIACONT
 ATTORNEYS AT LAW
 110 N. SIXTH STREET
 JAMATH FALLS, OREGON 97601-6028

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

CERTIFIED

P 082 576 479

MAIL

BOIVIN, JONES, UERLINGS & DIACONT
 ATTORNEYS AT LAW
 110 N. SIXTH STREET
 JAMATH FALLS, OREGON 97601-6028

NO DIRECTORY SERVICE
 APD/RPO MUST HAVE PROPER
 ZIP TO EFFECT DELIVERY



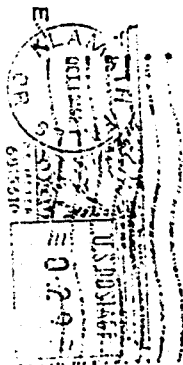
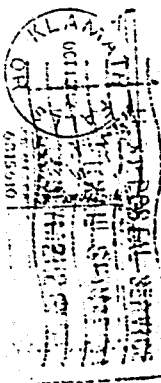
Johnny R. Smith
 Katherine L. Smith
 5122 Likini Street, Apt. #411
 Honolulu, HI 96826

UN-NC5
 5122 LIKINI
 10/1 UNCLAIMED

CUSTOMER REQUESTS
 REDIRECTORY

UNCLAIMED

10-24



Johnny R. Smith
 Katherine L. Smith
 P.O. Box 2505
 APO New York, N.Y.

Handwritten barcode



2216

BOIVIN, JONES, UERLING & DIACONE
ATTORNEYS AT LAW
110 N. SIXTH STREET
KLAMATH FALLS, OREGON 97601-6628



REASON RETURNED
☐ Problem
☐ Attempted - Not known
☒ Insufficient Address
☐ No such street number
☐ No such office in city
 Do not re-mail in this envelope

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

CERTIFIED

P 082 576 489

MAIL

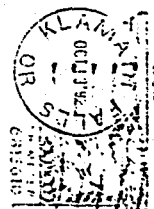
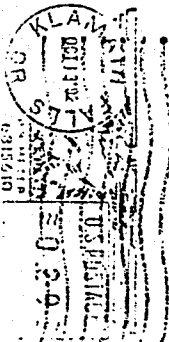
Johnny R. Smith
Katherine L. Smith
P. O. Box 2585
APO New York, N.Y. 01930

04/30

BOIVIN, JONES, UERLING & DIACONE
ATTORNEYS AT LAW
110 N. SIXTH STREET
KLAMATH FALLS, OREGON 97601-6628

Johnny R. Smith
Katherine L. Smith
5122 Makini Street, Apt. #411
Honolulu, HI 96818

SMITH, JONES, UERLING & DIACONE, INC. 10/28/92
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 29th day
of Jan. A.D., 19 93 at 3:54 o'clock P.M., and duly recorded in Vol. M93
of Deeds on Page 2213

FEE \$45.00

Evelyn Biehn County Clerk
By Pauline Muckendall