

OREGON —  
DEPARTMENT OF  
VETERANS' AFFAIRS

08-16-94P03:50 RCVN

Vol. m94 Page 25400

*ATC 42113*  
**AFFIDAVIT OF MAILING SELLER'S NOTICE OF  
 DEFAULT AND ELECTION TO DECLARE A FORFEITURE**

County Tax Account Number

Account Number

Count Number  
C08431 88111

County Tax Account Number  
R373465

R373465

STATE OF OREGON )  
County of Marion ) ss.

I, Jeanette L. Carlson, being first duly sworn, depose, say, and certify that:  
At all times hereinafter mentioned:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon and a competent person over the age of eighteen years. I gave notice of a default and seller's election to declare a forfeiture by mailing a notice, copy of which is attached hereto, by both first class and certified mail, with return receipt requested, to each of the following named persons at their respective last known addresses, to wit:

Franklin Charles B.

Franklin Charles Borner  
1966 Auburn  
Klamath Falls, Oregon 97601

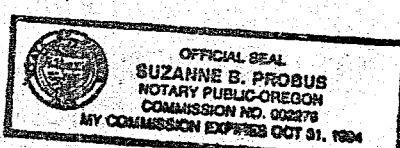
Said persons include the purchaser, any occupant of the property, any person requesting a notice, and any other person with an interest, lien, or claim with respect to the real property described in the contract referred to in the aforesaid Seller's Notice of Default and Election to Declare a Forfeiture.

Each of the notices so mailed was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States Post Office at Salem, Oregon, on August 15, 1994. Each of said notices was mailed at least 60 days before the day fixed in said notice as the time after which the contract would be forfeited.

Copies of receipts showing delivery of Seller's Notice of Default and Election to Declare a Forfeiture, or, if mail containing said notice could not be delivered, a copy of the envelope containing said notice, with United States Postal Service markings showing the reason mail could not be delivered to the addressee, are attached hereto.

Subscribed and sworn to before me this 15 day of August, 1994  
(Seal)

(Seal)



of Jeanette S. Carlson August 1994

June, 1974  
Suzanne B. Pugh  
Notary Public for Oregon

My Commission expires 10 31 91

**AFTER RECORDING RETURN TO:**

Oregon Department of Veterans' Affairs  
Jeanette L. Carlson  
700 Summer Street, NE  
Salem, Oregon 97310-1201

Until a change is requested, all tax statements shall be sent to the following address:

Oregon Department of Veterans' Affairs  
Tax Section  
700 Summer Street, NE  
Salem, Oregon 97310-1201

SELLER'S NOTICE OF DEFAULT AND ELECTION TO DECLARE A FORFEITURE  
(Pursuant to Oregon Revised Statutes Sections 93.905 to 93.940)

Reference is made to that certain Land Sale Contract between the State of Oregon, represented and acting by the Director of the Oregon Department of Veterans' Affairs, the Seller, and Franklin Charles Borner, the Buyer, dated January 5, 1987, recorded January 16, 1987, in Volume M87, Page 792, official records of Klamath County, Oregon, covering the following described real property situated in said county and state, to wit:

Tax Account No.: R373465

The Westerly 50.3 feet of Lots 1 and 2, Block 41, HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-28CD TL 8700.

The mailing address of the above-described property is 1966 Auburn, Klamath Falls, Oregon 97601.

YOU ARE HEREBY NOTIFIED there is a default by the buyer, with respect to provisions in said contract, which authorizes the seller to declare the buyer's rights under the contract to be forfeited, the debt extinguished, and the sums previously paid by buyer to be retained by seller.

Seller does hereby declare buyers rights under said contract forfeited, unless the default is cured. The default for which seller is declaring buyer's rights under said contract to be forfeited is buyer's failure to pay when due the following sums:

Full monthly payments in the amount of \$587 due February 1, 1993, and the first day of each month thereafter through January 1, 1994 (partial payments made).

Full monthly payments in the amount of \$585 due February 1, 1994, and the first day of each month thereafter (partial payments made).

The total delinquency is \$2,245.

The unpaid balance on the aforesaid contract is greater than 75 percent of the purchase price.

THE DATE AFTER WHICH SAID CONTRACT WILL BE FORFEITED IF THE BUYER DOES NOT CURE THE DEFAULT IS OCTOBER 17, 1994.

The default can be cured by paying the entire amount due (other than sums that would not be due had no default occurred) together with costs and attorney's fees as provided by law, on or before October 17, 1994.

The name and address of the seller is:

Oregon Department of Veterans' Affairs  
700 Summer Street, NE  
Salem, OR 97310

Dated this 15th day of AUGUST, 19 94.

Director of Veterans' Affairs

By

Stephen J. Scholz  
Stephen J. Scholz

2135-W (8-92)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co the 16th day  
of Aug A.D., 19 94 at 3:50 o'clock P M., and duly recorded in Vol. M94  
of Mortgages on Page 25400

FEE \$15.00

Evelyn Biehn County Clerk

By

Pauline Mullender