

1999 NOV 17 PM 3:29

MTC 48986

Vol M99 Page 45692

AFFIDAVIT OF SERVICE OF NOTICE OF DEFAULT UNDER REAL ESTATE CONTRACT

STATE OF OREGON)
) ss.
County of Marion)

I, John D. Albert, being first duly sworn, depose and say:

I am attorney for Northwest Farm Credit Services, ACA, the seller by assignment from Ag America, FCB successor in interest to Farm Credit Bank of Spokane, in the Land Sale Contract between said seller and Susan Krouse as buyer, for the following described property:

The NW1/4 SW1/4 of Section 10, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

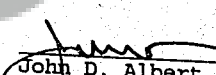
The contract contains a "forfeiture remedy" as defined in ORS 93.905(2).

Attached as Exhibit A is a true copy of the Notice of Default Under Real Estate Contract pertaining to the contract more fully described therein.

As evidenced by the returns of service attached hereto as Exhibit B, Notice of Default Under Real Estate Contract was personally served on occupant Jeanne L. Pike, 22517 Malin Cemetery Rd., in Malin, Oregon at 6:05 p.m. on November 4, 1999 and was substitute served upon occupant Scott Pike by service on Jeanne L. Pike at the time and place stated for Jeanne. Notice of Default Under Real Estate Contract was also personally served upon occupant Carol Jensen at 22579 Malin Cemetery Rd. in Malin, Oregon, at 11:15 a.m., on November 4, 1999 substitute served upon occupant Vern Jensen by service on Carol Jensen at the time and place stated for Carol.

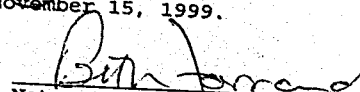
On November 9, 1999, according to ORCP 7 D(2), to complete substitute service, I caused to be mailed to Scott Pike and to Vern Jensen true and exact copies of the Notices of Substitute Service of Notice of Default Under Real Estate Contract, attached hereto as Exhibit C, by causing same to be deposited in the United States Mails at Salem, Oregon, on November 9, 1999, addressed to the usual place of residence of said occupants as follows: Scott Pike at 22517 Malin Cemetery Rd, Malin, Oregon 97632; and Vern Jensen at 22579 Malin Cemetery Rd., Malin, Oregon 97632, which are the addresses at which substitute service of said Notice of Default Under Real Estate Contract was made upon said occupants.

Notice of Default Under Real Estate Contract was served upon Susan Krouse, the buyer on the contract described above, by mailing by both first class and certified mail with return receipt requested, to her last known mailing address 118 Crescent Ct., in Scotts Valley, CA 95066 on November 2, 1999; and upon Vern Jensen and Carol Jensen, occupants at 22579 Malin Cemetery Rd., in Malin, Oregon by mailing by both first class and certified mail, return receipt requested, to their last known mailing address PO Box 849, Merrill, OR 97633 on November 2, 1999.


John D. Albert, OSB# 76041

Subscribed and sworn to before me November 15, 1999.




Notary Public for Oregon
My commission expires:

AFTER RECORDING RETURN TO:

John D. Albert
PO Box 968
Salem, OR 97308
p:\bcb\forfeita

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NOTICE OF DEFAULT UNDER REAL ESTATE CONTRACT

This notice is given pursuant to ORS 93.910 and 93.915 in enforcement of the forfeiture remedy provided for in the Real Estate Contract dated April 2, 1989, between Northwest Farm Credit Services, ACA (NWFCs) by assignment from Ag America, FCB successor in interest to Farm Credit Bank of Spokane as Seller and Susan Krouse, as buyer, for the sale of real property described as:

The NW1/4 SW1/4 of Section 10, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

A Memorandum of said Real Estate Contract was recorded on April 4, 1989 at Volume M89, Page 5675, in the Microfilm records of Klamath County, Oregon. An Assignment of Memorandum of Real Estate Contract, dated February 25, 1997, assigning the seller's interest to Northwest Farm Credit Services, ACS was recorded on February 27, 1997, at Volume M97, Page 5860, in the Microfilm records of Klamath County, Oregon.

The buyer is in default with respect to the provisions of the Real Estate Contract, which authorizes forfeiture as a remedy in the default of the provisions, in that the buyer has failed to pay, when due, the following sums:

\$ 520.51	July 1999 monthly payment
532.88	August 1999 monthly payment
532.88	September 1999 monthly payment
538.54	October 1999 monthly payment
1,335.90	delinquent property taxes paid by NWFCs
\$75.77	Lenders Single Interest Insurance
300.00	Title Report
350.00	Attorney fees
100.16	Default interest to Oct. 27, 1999
\$4,286.64	Total past due and owing as of October 27, 1999.

The above total amount is now past due, owing and delinquent.

FAILURE BY THE BUYER TO CURE THIS BREACH OF THE TERMS OF THE REAL ESTATE CONTRACT BY MARCH 15, 2000, SHALL RESULT IN THE FORFEITURE OF THE BUYER'S RIGHTS UNDER SAID REAL ESTATE CONTRACT.

The default can be cured by paying by March 15, 2000, the above past due amounts; plus any amounts that become due pursuant to the terms of the Real Estate Contract plus payment, pursuant to ORS 93.920, of the costs and expenses incurred by the seller in enforcing the agreement. Said date by which to cure being 135 days after the date of this notice.

To cure, contact the attorney named below for the exact amount due as of the date payment will be made.

Dated this 2nd day of November, 1999.

(County of Oregon)
County of Marion) ss

I hereby certify that the foregoing is
true and correct copy of the original.

Dated Nov 11, 1999

[Signature]
Attorney for Contract Seller

ALBERT & TWEET, LLP

[Signature]
John D. Albert, OSB# 76041
340 Vista Ave. SE, Suite 310
PO Box 968, Salem, OR 97308
(503) 585-2056
of Attorneys for Northwest
Farm Credit Services, ACA

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Exhibit A

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

45694

STATE OF OREGON
COUNTY OF _____

COURT CASE NO. _____

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- | | | | | |
|---|------------------------------------|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons | <input type="checkbox"/> Small Claim | <input type="checkbox"/> Motion | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Judgment | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Order | <input type="checkbox"/> Decree | <input type="checkbox"/> Notice | <input type="checkbox"/> Citation |
| <input type="checkbox"/> Notice of Small Claims | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Subpoena | |
| <input checked="" type="checkbox"/> Notice of Default | | | | |

For the within named: SCOTT PIKE and Jeanne Pike

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Jeanne Pike at the address below.

☒ SUBSTITUTE SERVICE: By delivering an Original or True Copy to Jeanne Pike, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: SCOTT PIKE

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such true copy or Original with _____, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.

Upon _____, by (a) delivering such true copy personally and in person, Corporation, Limited Partnership, etc.
to: _____ who is a/the _____ thereof, or
(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ thereof.

☐ OTHER METHOD: _____ By leaving an Original or True Copy with _____

☐ NOT FOUND: I certify that I received the within document for service on _____ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, _____ within _____ County.

22517 Malin Cemetery Rd
ADDRESS OF SERVICE STREET
Malin CITY OR STATE 97632 ZIP
UNIT / APT / SPC#

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

November 4, 1999 DATE OF SERVICE 6:05 a.m. ☐ p.m. ☒ Jeffrey K. Hamer SIGNATURE Exhibit B
page 2 of 2

PROOF OF SERVICE JEFFERSON STATE ADJUSTERS

STATE OF OREGON
COUNTY OF _____

COURT CASE NO. _____

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- | | | | | |
|---|------------------------------------|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons | <input type="checkbox"/> Small Claim | <input type="checkbox"/> Motion | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Judgment | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Order | <input type="checkbox"/> Decree | <input type="checkbox"/> Notice | <input type="checkbox"/> Citation |
| <input type="checkbox"/> Notice of Small Claims | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Subpoena | |
| <input checked="" type="checkbox"/> Notice 60 Default | | | | |

For the within named: Vern Jensen and Carol Jensen

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Carol Jensen at the address below.

☒ SUBSTITUTE SERVICE: By delivering an Original or True Copy to Carol Jensen, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Vern Jensen

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such true copy or Original with _____, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.

Upon _____, by (a) delivering such true copy personally and in person, Corporation, Limited Partnership, etc.
to: _____ who is a/the _____ thereof, or
(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ thereof.

☐ OTHER METHOD: _____ By leaving an Original or True Copy with _____

☐ NOT FOUND: I certify that I received the within document for service on _____ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, _____ within _____ County.

22579 Malin Cemetery Rd
ADDRESS OF SERVICE STREET

UNIT / APT / SPC#

Malin

CITY

OR

STATE

97632

ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

November 4, 1999
DATE OF SERVICE

11:15 a.m. ☒ p.m. ☐
TIME OF SERVICE

Jeffrey K. Ham
SIGNATURE

Exhibit B
page 1 of 2

NOTICE OF SUBSTITUTE SERVICE OF NOTICE OF DEFAULT
UNDER REAL ESTATE CONTRACT

TO OCCUPANT: Scott Pike

YOU ARE HEREBY NOTIFIED that service of Notice of Default Under Real Estate Contract was made upon you by substitute service as follows: DATE AND TIME OF SERVICE - November 4, 1999, 11:15 a.m. PERSON AND PLACE TO WHOM THE NOTICE OF DEFAULT UNDER REAL ESTATE CONTRACT WERE DELIVERED FOR OCCUPANT SCOTT PIKE - Jeanne Pike, 22517 Malin Cemetery Rd., Malin, OR 97632.

A true copy of the Notice of Default Under Real Estate Contract is attached to Occupant Scott Pike's true copy of this Notice.

DATED this 9 day of November, 1999.

ALBERT & TWEET, LLP

by Stephen T. Tweet
 Stephen T. Tweet, OSB# 78409
 of Attorneys for Northwest Farm Credit
 Services, Seller

This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

NOTICE OF SUBSTITUTE SERVICE OF NOTICE OF DEFAULT
UNDER REAL ESTATE CONTRACT

TO OCCUPANT: VERN JENSEN

YOU ARE HEREBY NOTIFIED that service of Notice of Default Under Real Estate Contract was made upon you by substitute service as follows: DATE AND TIME OF SERVICE - November 4, 1999, 11:15 a.m. PERSON AND PLACE TO WHOM THE NOTICE OF DEFAULT UNDER REAL ESTATE CONTRACT WERE DELIVERED FOR OCCUPANT VERN JENSEN - Carol Jensen, 22579 Malin Cemetery Rd., Malin, OR 97632.

A true copy of the Notice of Default Under Real Estate Contract is attached to Occupant Vern Jensen's true copy of this Notice.

DATED this 9 day of November, 1999.

ALBERT & TWEET, LLP

by

Stephen T. Tweet, OSB# 78409
of Attorneys for Northwest Farm Credit
Services, Seller

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This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

Page 1 - NOTICE OF SUBSTITUTE SERVICE OF NOTICE OF DEFAULT UNDER
REAL ESTATE CONTRACT

ALBERT & TWEET, LLP

PO Box 968

Salem, OR 97308

(503) 585-2056

State of Oregon, County of Klamath

Recorded 11/17/99, at 3:29 p.m.

In Vol. M99 Page 45692

Linda Smith.

County Clerk

Fees \$3500

Exhibit C
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