

AFTER RECORDING, RETURN TO:

William M. Ganong
Attorney at Law
514 Walnut Avenue
Klamath Falls OR 97601

AFFIDAVIT OF MAILING NOTICE OF DEFAULT

STATE OF OREGON, County of Klamath) ss.

I, William M. Ganong, under oath, state as follows:

1. Attached as Exhibit "A" is a true and correct copy of the Notice of Default pertaining to the Contract described therein.

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

3. The Notice of Default was mailed by both first-class and by certified mail with return receipt requested to the following persons at the last-known address indicated:

Jack F. Nielsen
1035 Applewood Drive
Klamath Falls OR 97603

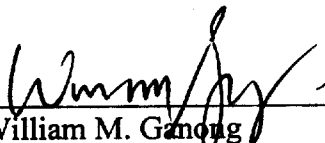
Occupant
427 South Eldorado Avenue
Klamath Falls OR 97601

Lori J. Nielsen
1035 Applewood Drive
Klamath Falls OR 97603

Occupant
435 South Eldorado Avenue
Klamath Falls OR 97601

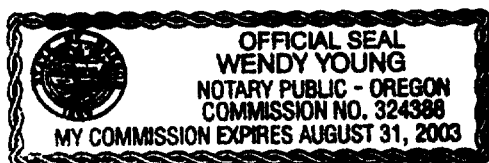
4. Attached as Exhibit "B" is a copy of the Certified Mail Receipt for each of the addresses named in item 3., above.


5. I make this Affidavit as attorney for and on behalf of Billy A. Wood and Susan D. Wood.



William M. Ganong
Attorney for Sellers
514 Walnut Avenue
Klamath Falls OR 97601
541/882-7228

This instrument was acknowledged before me this 9th day of February, 2001.





Wendy Young
Notary Public for Oregon
My Commission Expires: 8-31-2003

NOTICE OF DEFAULT

This Notice of Default is given with respect to the Contract described below, which contains a forfeiture remedy, pursuant to the provisions of ORS 93.905-93.940.

1. Description of Contract. Unrecorded Contract dated July 8, 1998, between Billy A. Wood and Susan D. Wood, husband and wife, as Sellers, and Jack F. Nielsen and Lori J. Nielsen, as Purchasers.

2. Property. The property which is the subject of the Contract is more particularly described as follows:

Lots 15, 16, 17, 18, 19, 20, 21, and 22, Block 12, INDUSTRIAL
ADDITION to the City of Klamath Falls, Oregon.

Klamath County Tax Assessor's Account Nos. R3809-033BA-014000 and
R3809-033BA-014100

More commonly known as 427 and 435 South Eldorado Avenue
Klamath Falls, Oregon 97601

3. Nature of Defaults. The defaults consist of:

a. Purchasers' failure to pay to Sellers the monthly installment payments in the sum of \$850 each, which were due and payable on September, October, November, and December 2000 and January 2001; and

b. Purchasers' failure to pay before they became delinquent real property taxes and assessments levied by Klamath County, Oregon against the subject real property for the tax years 1998-1999, 1999-2000, and 2000-2001.

4. Amount of Default. The amount of the default arising from Purchasers' failure to pay the monthly installments is \$4,250, plus a late charge for each late payment of 8% of each payment, or a total of \$340 for late payment fees. The amount of real property taxes and assessments required to be paid as of December 7, 2000 totaled \$3,003.13, plus interest at the rate of 1 1/3% per month from December 15, 2000, until paid. The amount of Sellers' attorney's fees incurred prior to the initiation of the forfeiture action is \$250.

5. Date Contract Will Be Forfeited. The Contract will be forfeited if the default is not cured by April 13, 2001.

6. How to Cure Default. The default will be cured if by April 13, 2001 the following occur:

a. The sum of \$4,240, plus additional monthly installment payments of \$850 for each month commencing February 25, 2001, plus the late fees of \$340, plus each monthly payment due thereafter, is received on account of the Contract by Roswell Escrow Services, Inc., the escrow agent identified in paragraph 7., below;

b. Purchasers pay to Sellers at the office of William M. Ganong, attorney at law, 514 Walnut Avenue, Klamath Falls, Oregon 97601, the Sellers' attorney's fees incurred prior to this forfeiture action in the sum of \$250;

c. Purchasers pay all delinquent real property taxes owed to the Treasurer of Klamath County, Oregon; and

d. The additional sum of \$801 is received by William M. Ganong, attorney at law, at the address set forth below in payment of the following costs of this forfeiture action:

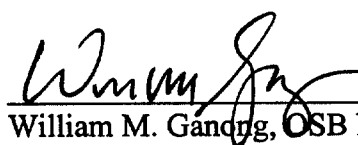
Title search	\$400.00
Recording fees	31.00
Postage	20.00
Statutory attorney's fees	<u>350.00</u>
Total:	<u>\$801.00</u>

7. Name and Address of Escrow Agent. The collection escrow agent for the Contract is Roswell Escrow Services, Inc., 204 West Second, Roswell, New Mexico 88201, Escrow No. 002-007113.

8. Name and Address of Attorney for Sellers.

William M. Ganong
Attorney at Law
514 Walnut Avenue
Klamath Falls OR 97601

9. Date Notice Mailed. This notice is being deposited via first-class mail and certified mail with return receipt requested, on February 9, 2001.



William M. Ganong, OSB No. 78213
Attorney for Sellers
514 Walnut Avenue
Klamath Falls OR 97601
541/882-7228

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	
Recipient's Name (Please Print Clearly) (To be completed by mailer) <u>Jack F. Nielsen</u> Street, Apt. No.; or PO Box No. <u>1035 Applewood Drive</u> City, State, ZIP+4 <u>Klamath Falls OR 97603</u>		

PS Form 3800, February 2000 See Reverse for Instructions

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Total Postage & Fees	\$	
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Total Postage & Fees	\$	
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PS Form 3800, February 2000 See Reverse for Instructions

State of Oregon, County of Klamath
 Recorded 02/13/01, at 8:32 a. m.
 In Vol. M01 Page 5655
 Linda Smith,
 County Clerk Fee\$ 36⁰⁰