

NO

03 NOV 12 AM 10:17

Vol M03 Page 83629

AFFIDAVIT OF FORFEITURE

RE: Contract by and between

JOB's Western, Inc.
96 Victoria Way
Central Point, OR 97502

And

Seller

Robert + Patricia Mitchell
PO Box 86
Sprague River, OR 97639

Buyer

SPACE RESERVED
FOR
RECORDERS USE

State of Oregon, County of Klamath
 Recorded 11/12/03 10:17 a.
 Vol M03 Pg 83629-33
 Linda Smith, County Clerk
 Fee \$ 41.60 # of Pgs 5

After recording, return to (Name, Address, Zip):

JOB's Western, Inc.
96 Victoria Way
Central Point, OR 97502

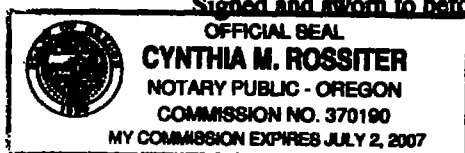
STATE OF OREGON, County of Klamath ss.

I, Greg Bewley, being first duly sworn, depose, say and certify that:
JOB's Western, Inc., as seller, and
Robert + Patricia Mitchell, as purchaser

made and entered into a contract for the sale of land, which contract was dated September 30, 1998, and
 was recorded on October 21, 1998 in the real property records of Klamath
 County, Oregon in book/reel/volume No. M 98 at page 38477, and/or as fee/file/instrument/microfilm/
 reception No. 68275 (Indicate which), covering the following described real property situated in the above mentioned
 county and state, to wit:

Lot 9, Block 44, First addition to Klamath Forest Estates,
according to the official plat thereof on file in the office of
the County Clerk of Klamath County, Oregon.

There was a default by the purchaser, the purchaser's successor in interest, or other person owing an obligation, the performance of which was required by the contract, with respect to provisions therein permitting forfeiture in the event of default of such provisions. The default of the purchaser under the terms of the contract was not cured within the time period provided by law. The contract has been and hereby is declared forfeited. The Seller gave notice to the Purchaser as required by law. A copy of the notice and proof of mailing of the same is attached hereto.

Signed and sworn to before me on November 6, 2003

Cynthia M. Rossiter
 Notary Public for Oregon

My commission expires JULY 2, 2007

NOTE: Pursuant to ORS 93.030, a copy of the forfeiture notice (Stevens-Nees Form No. 1283, or the equivalent) and proof of its mailing should be attached to and recorded with this affidavit.

AFFIDAVIT OF MAILING

I am over the age of 18 (eighteen) years, and, on June 6th 2003,
I mailed two copies of the Notice of Default and of Pending Forfeiture, a copy of which
is attached, to the addressee set forth below, by depositing two copies enclosed in
separate postpaid wrappers, one First Class the other Certified and Return Receipt
Requested, in an official depository under the exclusive care and custody of the United
States Postal Service, in Central Point, Jackson County, Oregon, addressed as follows:

Robert and Patricia Mitchell
PO Box 86
Sprague River, OR 97639

Cecily Bump
Signature

6-6-03
Dated

Signed and Sworn to before me this 6 day of June, 2003.

[Signature]
Notary Public in and for the State of Oregon

Residing at: Medford OR
My Appointment Expires: Sept 4, 2004



OFFICIAL SEAL
R DAYTON HUGHES
NOTARY PUBLIC - OREGON
COMMISSION NO. 338134
MY COMMISSION EXPIRES SEPT. 4, 2004

22

83631



NOTICE OF DEFAULT AND OF PENDING FORFEITURE

File Contract by and between

Job's Western, Inc.

916 Victoria Way

Central Binst, OR 97502

And

Seller

Robert & Patricia Mitchell

PO Box 816

Sprague River, OR 97139

Buyer

After recording, return to (Name, Address, Zip):

JOB'S Western, Inc.

916 Victoria Way

Central Binst, OR 97502

SPACE RESERVED
FOR
RECORDS USE

STATE OF OREGON,

County of _____ } ss.

I certify that the within instrument was received for recording on _____, at _____ o'clock _____ M., and recorded in book/roll/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of this County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy.

Reference is made to that certain contract for the sale of land by and between _____

Job's Western, Inc.

and Robert and Patricia Mitchell

dated September 30, 1998

recorded on October 21, 1998

Klamath

County, Oregon, in book/roll/volume No. M 98

at page

38477

and/or as fee/file/instrument/microfilm/reception No. 18275 (indicate which), covering the following described real property situated in the above mentioned county and state, to-wit:

Lot 9, Block 44, First addition to Klamath Forest Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

There is a default by the purchaser, the purchaser's successor in interest, or other person owing an obligation, the performance of which is required by the contract, with respect to provisions therein which permit forfeiture in the event of default of such provisions. The default by virtue of which this forfeiture is declared is as follows (if the default is in the payment terms, set forth the sum(s) due):

the purchasers have failed to make the \$100 minimum monthly payments since November of 1999. Since December of 1999 we as the sellers have added a late fee of \$25 per month, as allowable by contract, in addition to the 10% per annum interest. The balance owing as of June 10, 2003 is \$ 7,067.56.

By reason of the default, the contract will be forfeited if the purchaser does not cure the default. The date after which the contract will be forfeited is September 16, 2003. This date affords the purchaser a period of time to cure the default which is not less than: (a) sixty days, if the purchaser has reduced the unpaid balance to an amount greater than 75 percent of the purchase price; (b) ninety days, if the purchaser has reduced the unpaid balance to an amount which is more than 50 percent but less than 75 percent of the purchase price; or (c) one hundred twenty days, if the purchaser has reduced the unpaid balance to an amount which is 50 percent or less of the purchase price.

(OVER)



Notice hereby is given that the contract will be forfeited, and that an affidavit evidencing such forfeiture will be recorded in accordance with ORS 93.930 unless the default complained of is cured on or before the date specified.

This notice of default shall be served pursuant to ORCP 7 D. (2) and 7 D. (3), or by both first class and certified mail with return receipt requested, to the last known address of the purchaser, occupant(s) of the property, and to any person who has caused to be correctly filed a duly acknowledged request for a copy of any notice of default, or to the legal representative of any of such persons. Notices served by mail are effective when mailed.

A copy of this notice, together with one or more affidavits of service or mailing thereof, reciting the dates of service or mailing and the name and address of each person to whom a copy of the notice was mailed or served, shall be recorded in the real property records of each county in which any part of the property is located, and such recording shall constitute constructive notice to all third persons of the pending forfeiture described herein. Should no declaration of forfeiture based upon the notice and affidavit be recorded within one year after the time for cure of the default, and should no extension of time for cure executed by the seller be recorded, this notice and its corresponding affidavit shall not be effective for any purpose, nor shall it impart any constructive or other notice to third persons acquiring an interest in the purchaser's interest in the contract or the property or any portion of either. Any extension of time for cure executed by the seller shall be recorded in the same manner as the original notice and its corresponding affidavit.

This notice shall conclusively be presumed to be adequate, and the statements contained herein correct, unless one or more recipients of this notice notifies the seller or the seller's attorney, by registered or certified mail, that such recipient claims the right to a longer period of time in which to cure the default.

Subject to the procedural requirements of the Oregon Rules of Civil Procedure, an action may be instituted to appoint a receiver or to obtain a temporary restraining order during forfeiture under the contract mentioned herein, except that a receiver shall not be appointed if the subject property is a single-family residence which is occupied at the time this notice is given, as the principal residence of the purchaser, the purchaser's spouse or the purchaser's minor dependent children.

In construing this notice, the singular includes the plural, the word "purchaser" includes any successor in interest to the purchaser as well as any other person owing an obligation, the performance of which is required by the contract, and the word "seller" includes any successor in interest to the seller.

IN WITNESS WHEREOF, the seller has executed this instrument. If seller is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Gregory A. Bentley

Seller

Dated

6/5/03

Seller

STATE OF OREGON, County of Jackson

This instrument was acknowledged before me on 6-5-03

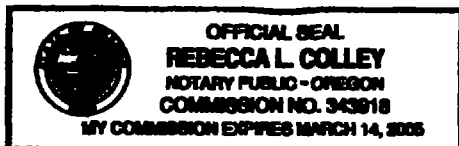
by Gregory A. Bentley

This instrument was acknowledged before me on _____

by _____

as _____

of _____



Rebecca L. Colley
Notary Public for Oregon
My commission expires 3-14-06



***** WELCOME TO *****

CENTRAL POINT BRANCH
CENTRAL POINT, OR 97502-2448

06/06/03 11:54AM

Store USPS 35
Wkstn sys5004 Trans D018JC
Cashier DCPRA
Stock Unit Id MINULJRA
PU Phone Number 800-275-8777
USPS # 4067870517

4.42

Post Class 97639
Destination: 0.90
Weight: PVI
Postage Type: 4.42
Total Cost:

Change to
Cash

Items Sold: 2

Please come again!

7002 2030 0002 3024 6216

U.S. Postal Service CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

SPRING RIVER, OR 97639

Postage	\$ 0.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



Sent To: Robert + Patricia Mitchell
Street, Apt. No. or PO Box: Box 86
City, State, ZIP+4: Spring River OR 97639

83633