

04 NOV 12 AM 8:23

Vol M04 Page 77752

State of Oregon, County of Klamath  
Recorded 11/12/04 8:23a m  
Vol M04 Pg 77752-53  
Linda Smith, County Clerk  
Fee \$ 31<sup>00</sup> # of Pgs 2  
10<sup>00</sup> opa

04 NOV 23 AM 8:09

After Recording Return to:

Please Send Tax Statements To: Vol M04 Page 80499

px Gregory M. Abel  
Attorney at Law  
P.O. Box 640  
Ashland, Oregon 97520

Mark and Stacy Skillman  
3659 Biddle Road, #23  
Medford, OR 97504

### AMENDED DECLARATION OF FORFEITURE

STATE OF OREGON )  
County of Klamath ) ss.

State of Oregon, County of Klamath  
Recorded 11/23/04 8:09a m  
Vol M04 Pg 80499-80503  
Linda Smith, County Clerk  
Fee \$ 41<sup>00</sup> # of Pgs 5

I, Gregory M. Abel, attorney at law, OSB 03178, under oath, state as follows:

1. This declaration pertains to that certain Land Sale Contract (Contract) between Mark Skillman and Stacy Skillman, as Sellers, and Joe Garcia, as Purchaser, a memorandum of which was dated 8 May, 2002, recorded on 15 May, 2002, Volume M02, page 29099, Official Microfilm Records of Klamath County, Oregon, and re-recorded 19 June 2002, Volume M02, page 35724, Official Microfilm Records of Klamath County, Oregon, which covers that certain real property situated in Klamath County, Oregon, particularly described as follows:

#### PARCEL 1:

The W1/2 of the NE1/4 of Section 21, Township 37 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon.

#### PARCEL 2:

The E1/2 of the NE1/4 of Section 21, Township 37 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No.: 3715-00000-05900-000

Key No.: 408838

2. An Affidavit of Mailing of Notice of Default, with a copy of the Notice of Default attached (Notice), was recorded on 18 November 2003,

26  
+5  
10-09 41<sup>00</sup> RR

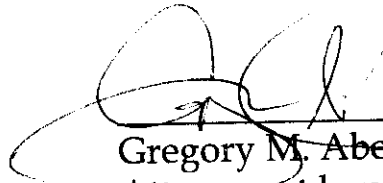
77753  
80500

8:32 a.m., Volume M03, Pg 85022-24, Official Records of Klamath County, Oregon.

3. The default described in the Notice was not cured within the time specified, as required by ORS 95.915.

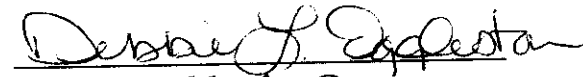
4. The Contract is hereby declared forfeited.

5. I make this declaration as the Representative of the Sellers under the Contract.

  
\_\_\_\_\_  
Gregory M. Abel,  
Attorney at law, OSB# 03178

This instrument was acknowledged before me on 11-4, 2004.



  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: 9-20-04

80501

**THOMAS C. HOWSER**

PROFESSIONAL CORPORATION

607 SISKIYOU BOULEVARD

POST OFFICE BOX 640

ASHLAND, OREGON 97520

(541) 482-2621

FAX (541) 482-1512

info@ashlandlaw.com

www.ashlandlaw.com

ATTORNEYS AT LAW

THOMAS C. HOWSER  
tom@ashlandlaw.com

JUDITH H. UHERBELAU\*  
judy@ashlandlaw.com  
\*LICENSED IN OR AND CA

GREGORY M. ABEL\*  
greg@ashlandlaw.com  
\*LICENSED IN OR AND WA

'03 NOV 18 AM 8:32

**NOTICE OF DEFAULT**

**SENT BY BOTH FIRST CLASS AND CERTIFIED MAIL WITH RETURN  
RECEIPT REQUESTED**

Vol M03 Page 85022

Wednesday, November 12, 2003

Joe Garcia  
6 Rancho Drive  
Sonoma, CA 9547

State of Oregon, County of Klamath  
Recorded 11/18/03 8:32 a. m  
Vol M03 Pg 85022-24  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

**RE: April 10, 2002 Skillman - Garcia Land Contract**

Dear Mr. Garcia:

In accordance with ORS 93.915, you are hereby declared and given notice of, to be in **DEFAULT** under a contract for conveyance of real property in the State of Oregon, described and known as:

"A "Land Contract" entered into by you with Mark Skillman on April 10, 2002. The contract did convey to you interest in that certain piece of property described as:

Parcel 1: The W1/2 OF THE NE 1/4 OF SECTION 21, TOWNSHIP 37 SOUTH, RANGE 15 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON

And

Parcel 2: The E 1/2 OF THE NE 1/4 OF SECTION 21, TOWNSHIP 37 SOUTH, RANGE 15 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON

More particularly described as: R-3715TL5900 and R-3715TL5901.

As of the time of this NOTICE OF DEFAULT, you have failed to make payments for one hundred and five (105) days. Additionally, prior to your last payment of July 28, 2003, you were more than 30 days late with the June, 2003 payment. As per the terms of the above referenced "Land Contract" you have seventy-five (75) days from today, Wednesday, November 12, 2003, to pay the unpaid balance and the full amount currently

80502  
85023

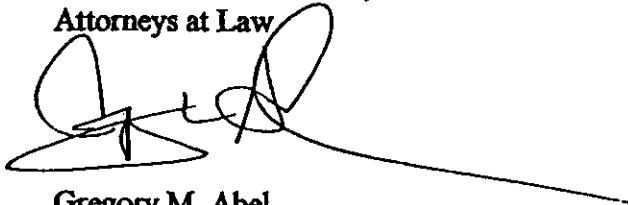
due including service and attorneys fees. This office, or the Medford AmeriTitle office at 1501 E. McAndrews Road, Medford Oregon, 97504, must receive \$1,760.00 in US currency by Cashiers check on or before Tuesday, January 27, 2003 at 4:00 p.m.

Failure to pay the amount back due in full by the deadline stated will result in the contract being enforced and the property forfeited. According to the terms of the contract you signed, if the default is not cured by delivering \$1,760.00 as described above, you will forfeit all monies paid and the above-described property will be forfeited and returned to the Seller.

Please contact this office or AmeriTitle immediately if you have questions or concerns regarding this matter.

HERE IN FAIL NOT

THOMAS C. HOWSER, P.C.  
Attorneys at Law



Gregory M. Abel  
Attorney-at-law

Cc: Client  
Amerititle

Sent via regular mail and certified  
mail receipt no. 7001 1940 0003 9160 5116

PK:

THOMAS C. HOWSER  
PROFESSIONAL CORPORATION  
607 SISKIYOU BLVD., P.O. BOX 640  
ASHLAND, OREGON 97520  
(541) 482-2621 FAX 482-1512

Notice of Default to Joe Garcia - 2 of 2

80503

85024

AFFIDAVIT OF MAILING

STATE OF OREGON    )  
                                  )ss.  
County of Jackson    )

I, Gregory M. Abel, being first duly sworn, depose and say that on November 12, 2003 I made service of the following upon the individuals named below by mailing a copy of Notice of Default, contained in an envelope with postage prepaid and deposited in the United State Post office in Ashland, Oregon upon:

Joe Garcia  
6 Ranch Rancho Drive  
Sonoma, CA 95476  
(Sent via regular mail and certified mail receipt  
#7001 1940 0003 9160 5116)

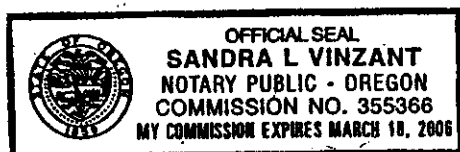
Louise Parke  
Amerititle  
1501 East McAndrews Road  
Medford, Oregon 97504

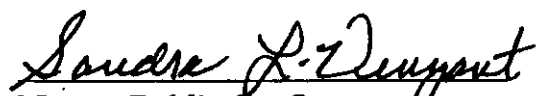
Mark Skillman  
#23  
3659 Biddle Road  
Medford, Oregon 97504

DATE: 12 November, 2003.

  
\_\_\_\_\_  
Gregory M. Abel, OSB #03178

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of November  
2003.



  
Notary Public for Oregon  
My Commission Expires: 3/18/06