

2012-000503

Klamath County, Oregon



00112672201200005030130130

01/20/2012 08:43:52 AM

Fee: \$97.00

Recording Cover Sheet
All Transactions (ORS 205.234)

After Recording Return To:

David B. Mills, Esq.
115 W. 8th Ave., Suite 390
Eugene, OR 97401

Mail Tax Statements To:

Candace Amborn, Trustee
P.O. Box 580
Medford, OR 97501-0214

1. Name / Title of Transaction (ORS 205.234 (1a))

Affidavit of Forfeiture of Unrecorded Land Sale Contract

2. Grantor / Direct Party Name and Address (ORS 205.125 (1b), 205.160 & 205.234 (1b))

Candace Amborn, Trustee of the Bankruptcy Estate of John Elliget and Gina Elliget
P.O. Box 580
Medford, OR 97501-0214

3. Grantee / Indirect Party Name and Address (ORS 205.125 (1b), 205.160 & 205.235 (1b))

Janine and Bradford G.C. Love
P.O. Box 1177
Spring, TX 77383-1177

4. True and Actual Consideration (ORS 93.030)

To extent applicable, consideration is value other than money

5. If this instrument is being re-recorded, complete the following statement (ORS 205.244)

Re-recorded at the request of _____
to correct _____
Previously recorded in Book _____ and page _____ or DN _____

**AFFIDAVIT OF FORFEITURE
OF UNRECORDED LAND SALE
CONTRACT**

RE: **UNRECORDED** Land Sale Contract

between:

John Gordon Elliget,

Seller

And

Janine and Bradford G.C. Love,

Buyers

After recording, return to:

David B. Mills, Esq.

Attorney at Law

115 W. 8th Ave., Suite 390

Eugene, OR 97401

STATE OF OREGON)

)ss.

County of Lane)

I, David B. Mills, having first been duly sworn, do depose and say that:

I am the attorney for Candace Amborn, Trustee of the bankruptcy estate of John Elliget and Gina Elliget, US Bankruptcy Court, District of Oregon, Case No. 09-64244-fra7.

Attached hereto is a copy of the Notice of Default recorded at Instrument No. 2011-012407, a copy of the Affidavit of Mailing recorded at Instrument No. 2011-012408 and Affidavit of Proof of Mailing.

The default of the purchasers under the terms of the **UNRECORDED** contract of sale referenced in the foregoing Notice of Default was not cured within the time period provided in ORS 93.915 and the **UNRECORDED** contract of sale has been forfeited.

The real property subject to the **UNRECORDED** land sale contract referenced in the attached notice of default is described as:

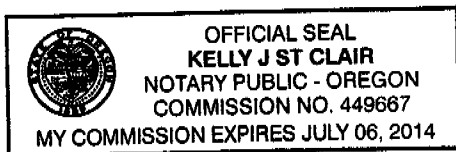
Lot 1, Block 12, SPRAGUE RIVER VALLEY ACRES, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Tax Account No. 3612-001B0-00100-000.



David B. Mills, Attorney for
Candace Amborn, Trustee

Personally appeared before me on January 18, 2012 David B. Mills, Esq. Attorney for Candace Amborn, Trustee and acknowledged the foregoing to be his voluntary act and deed.



Kelly J St Clair

Notary Public for Oregon

My Commission Expires: 7/6/14

NOTICE OF DEFAULT

RE: **UNRECORDED** Land Sale Contract

between:

John Gordon Elliget,

Seller

And

Janine and Bradford G.M. Love,

Buyers

After recording, return to:

David B. Mills, Esq.

Attorney at Law

115 W. 8th Ave., Suite 390

Eugene, OR 97401

2011-012407

Klamath County, Oregon

00109728201100124070020027

11/04/2011 10:32:01 AM

Fee: \$42.00

Pursuant to ORS 93.915 Candace Amborn, Trustee of the bankruptcy estate of John Elliget and Gina Elliget, US Bankruptcy Court, District of Oregon, Case No. 09-64244-fra7 hereby gives notice of default of the buyers under the **UNRECORDED** Land Sale Contract dated December 29, 2006 between John Elliget, Seller, and Janine and Bradford G. M. Love, Buyers, and provides the following information pursuant to ORS 93.915(3);


1. Nature of Default: Failure to make payments due under the contract.
2. Amount of Default: \$5,013.73.
3. **Date after which the contract will be forfeited if the buyers do not cure the default:**
January 17, 2012.
4. Name and address of the attorney for the Seller:
David B. Mills, Esq.
Attorney at Law
115 W. 8th Ave., Suite 390
Eugene, OR 97401

The real property subject to the above referenced land sale contract is described as:

Lot 1, Block 12, SPRAGUE RIVER VALLEY ACRES, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Tax Account No. 3612-001B0-00100-000.

The referenced Land Sale Contract is **UNRECORDED**.


David B. Mills, Attorney for
Candace Amborn, Trustee

Personally appeared before me on November 1, 2011 David B. Mills, Esq. Attorney for Candace Amborn, Trustee and acknowledged the foregoing to be his voluntary act and deed.



Kelly St Clair
Notary Public for Oregon
My Commission Expires: 7/6/14

AFFIDAVIT OF MAILING

2011-012408

Klamath County, Oregon

00109729201100124080040048

11/04/2011 10:34:01 AM

Fee: \$52.00

**RE: UNRECORDED Land Sale Contract
between:**

John Gordon Elliget,

Seller

And

Janine and Bradford G.M. Love,

Buyers

After recording, return to:

David B. Mills, Esq.

Attorney at Law

115 W. 8th Ave., Suite 390

Eugene, OR 97401

STATE OF OREGON)

)ss.

County of Lane)

I, David B. Mills, having first been duly sworn, do depose and say that:


I am the attorney for Candace Amborn, Trustee of the bankruptcy estate of John Elliget and Gina Elliget, US Bankruptcy Court, District of Oregon, Case No. 09-64244-fra7 and that on November 1, 2011 I caused to be mailed to Janine and Bradford G.M. Love the attached Notice of Default by first class mail and certified mail with return receipt requested to their last known address.

The real property subject to the above land sale contract referenced in the attached notice of default is described as:

Lot 1, Block 12, SPRAGUE RIVER VALLEY ACRES, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Tax Account No. 3612-001B0-00100-000.

The referenced Land Sale Contract is UNRECORDED.

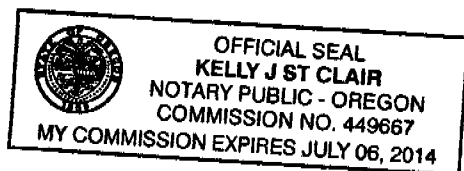

**David B. Mills, Attorney for
Candace Amborn, Trustee**

STATE OF OREGON)

)ss.

County of Lane)

This instrument was acknowledged before me on November 1, 2011 by David B. Mills,
Attorney for Candace Amborn, Trustee.



Kelly St Clair
Notary Public for Oregon
My Commission Expires: 7/6/14

NOTICE OF DEFAULT

RE: **UNRECORDED** Land Sale Contract

between:

John Gordon Elliget,

Seller

And

Janine and Bradford G.M. Love,

Buyers

After recording, return to:

David B. Mills, Esq.

Attorney at Law

115 W. 8th Ave., Suite 390

Eugene, OR 97401

Pursuant to ORS 93.915 Candace Amborn, Trustee of the bankruptcy estate of John Elliget and Gina Elliget, US Bankruptcy Court, District of Oregon, Case No. 09-64244-fra7 hereby gives notice of default of the buyers under the **UNRECORDED** Land Sale Contract dated December 29, 2006 between John Elliget, Seller, and Janine and Bradford G. M. Love, Buyers, and provides the following information pursuant to ORS 93.915(3);

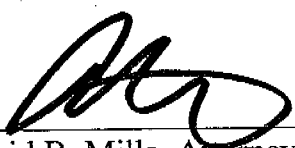
1. Nature of Default: Failure to make payments due under the contract.
2. Amount of Default: \$5,013.73.
3. **Date after which the contract will be forfeited if the buyers do not cure the default:**
January 17, 2012.
4. Name and address of the attorney for the Seller:
David B. Mills, Esq.
Attorney at Law
115 W. 8th Ave., Suite 390
Eugene, OR 97401

The real property subject to the above referenced land sale contract is described as:

Lot 1, Block 12, SPRAGUE RIVER VALLEY ACRES, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Tax Account No. 3612-001B0-00100-000.

The referenced Land Sale Contract is **UNRECORDED**.


David B. Mills, Attorney for
Candace Amborn, Trustee

Personally appeared before me on November 1, 2011 David B. Mills, Esq. Attorney for Candace Amborn, Trustee and acknowledged the foregoing to be his voluntary act and deed.



Kelly J St Clair
Notary Public for Oregon
My Commission Expires: 7/6/14

**AFFIDAVIT OF PROOF OF
MAILING**

RE: UNRECORDED Land Sale Contract
between:

John Gordon Elliget,

Seller

And

Janine and Bradford G.C. Love,

Buyers

After recording, return to:

David B. Mills, Esq.

Attorney at Law

115 W. 8th Ave., Suite 390

Eugene, OR 97401

STATE OF OREGON)

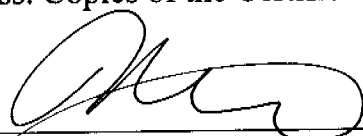
)ss.

County of Lane)

I, David B. Mills, having first been duly sworn, do depose and say that:

I am the attorney for Candace Amborn, Trustee of the bankruptcy estate of John Elliget and Gina Elliget, US Bankruptcy Court, District of Oregon, Case No. 09-64244-fra7.

On November 1, 2011 I caused to be mailed to Janine and Bradford G.M. Love the Notice of Default, which was recorded at Instrument No. 2011-012404, by First Class Mail and Certified Mail with Return Receipt Requested to their last known address. Copies of the Certified Mail Receipts are attached hereto.

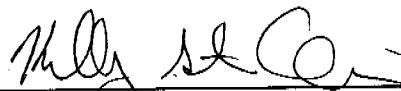


David B. Mills, Attorney for
Candace Amborn, Trustee

Personally appeared before me on January 18, 2012 David B. Mills, Esq. Attorney for Candace Amborn, Trustee and acknowledged the foregoing to be his voluntary act and deed.



OFFICIAL SEAL
KELLY J ST CLAIR
NOTARY PUBLIC - OREGON
COMMISSION NO. 449667
MY COMMISSION EXPIRES JULY 06, 2014



Notary Public for Oregon

My Commission Expires: 7/6/14

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Janine & Bradford G.M. Love
P.O. Box 1177
Spring, TX 77383-1177

CAM / EURET

2. Article Number
(Transfer from service label)

7006 2760 0005 6192 2225

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ X
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

102595-02-M-1540

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

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

OFFICIAL USE

| | | |
|---|---------|------------------|
| Postage | \$,44 | Postmark Here |
| Certified Fee | 2.85 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.59 | |

Sent To
Street, A/
or PO Bo
City, State
Janine & Bradford G.M. Love
P.O. Box 1177
Spring, TX 77383-1177

PS Form

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

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

OFFICIAL USE

| | | |
|---|---------|------------------|
| Postage | \$,44 | Postmark Here |
| Certified Fee | 2.85 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.59 | |

Sent To
Street, A/
or PO Bo
City, State
Janine & Bradford G.M. Love
P.O. Box 1177
Spring, TX 77383-1177

PS Form

ctions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Exceptional Realty
Attn: Janine Love, Broker
21 Waterway, Suite 300
The Woodlands, TX 77380

CAM / Eucet

2. Article Number
(Transfer from service label)

7006 2760 0005 6192 2171

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
☒ Addressee

B. Received by (Printed Name) ☐ C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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

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

OFFICIAL USE

| | | |
|---|---------|------------------|
| Postage | \$.44 | Postmark Here |
| Certified Fee | 2.85 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.59 | |

Sent To
Street, Apt
or PO Box
City, State

Exceptional Realty
Attn: Janine Love, Broker
21 Waterway, Suite 300
The Woodlands, TX 77380

PS Form

7006 2760 0005 6192 2171

**U.S. Postal Service™
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OFFICIAL USE

| | | |
|---|---------|------------------|
| Postage | \$.44 | Postmark Here |
| Certified Fee | 2.85 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.59 | |

Sent To
Street, Apt
or PO Box
City, State

Exceptional Realty
Attn: Janine Love, Broker
21 Waterway, Suite 300
The Woodlands, TX 77380

PS Form

7006 2760 0005 6192 2171

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Exceptional Realty
Attn: Janine Love
2107 Lexington Woods Dr.
Spring, TX 77373-3109

CAM/EWLET

2. Article Number
(Transfer from service label)

7006 2760 0005 6192 2164

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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

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

OFFICIAL USE

| | | |
|---|---------|------------------|
| Postage | \$.44 | Postmark Here |
| Certified Fee | 2.85 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.59 | |

Sent To
Street, A
or PO Box
City, State
Exceptional Realty
Attn: Janine Love
2107 Lexington Woods Dr.
Spring, TX 77373-3109

PS Form 3811
Citizens

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

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

OFFICIAL USE

| | | |
|---|---------|------------------|
| Postage | \$.44 | Postmark Here |
| Certified Fee | 2.85 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.59 | |

Sent To
Street, A
or PO Box
City, State
Exceptional Realty
Attn: Janine Love
2107 Lexington Woods Dr.
Spring, TX 77373-3109

PS Form 3811
Citizens

7006 2760 0005 6192 2164

7006 2760 0005 6192 2164