

2013-003564

Klamath County, Oregon



00133764201300035640050059

04/03/2013 03:38:24 PM

Fee: \$57.00

AFTER RECORDING RETURN TO:

Parks & Ratliff, P.C.  
620 Main Street  
Klamath Falls, OR 97601

SEND TAX STATEMENTS TO:

Irma Wethern  
7015 Widgeon Lane  
Bonanza, OR 97623

DECLARATION OF FORFEITURE

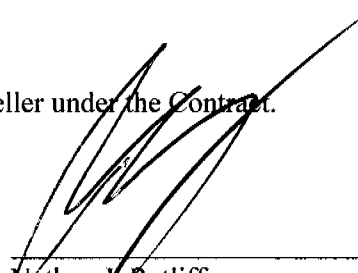
STATE OF OREGON                     )  
  )  
County of Klamath                     ) ss.

I, Nathan J. Ratliff, under oath, state as follows:

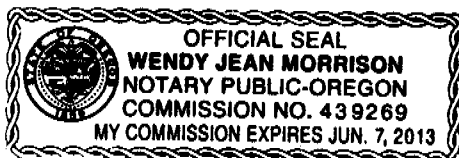
1. This declaration pertains to that certain Land Sale Contract (Contract) between **Robert V. Wethern, Sr.**, as Seller, and **Kyle Ross and Julia Schoon, Husband and Wife**, as Purchaser, a memorandum of which was recorded on August 8, 2005, Instrument No. M05-61406, Official Records of Klamath County, Oregon, which covers that certain real property situated in Klamath County, Oregon, which has no street address and is more particularly described as follows:

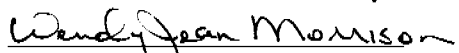
Parcel 1 of Land Partition 26-02 being a replat of Lot 68, Block 12,  
Klamath Falls Forest Estates, Highway 66 Unit, Plat No. 1. (R388556)

2. An Affidavit of Mailing of Notice of Default, with a copy of the Notice of Default attached (Notice), was recorded on January 17, 2013, Instrument No. 2013-000627, Official Records of Klamath County, Oregon.
3. The default described in the Notice was not cured within the time specified, as required by ORS 93.915.
4. The Contract is hereby declared forfeited.
5. I make this declaration as the Attorney for Seller under the Contract.

  
\_\_\_\_\_  
Nathan J. Ratliff  
Attorney for Seller

This instrument was acknowledged before me on April 2, 2013, by Nathan J. Ratliff.



  
Wendy Jean Morrison  
Notary Public for Oregon  
My commission expires: June 7, 2013

Returned to Correspondent

After Recording Return to:  
Parks & Ratliff, P.C.  
620 Main Street  
Klamath Falls, OR 97601

2013-000627  
Klamath County, Oregon

00130045201300006270040048

01/17/2013 09:31:55 AM

Fee: \$52.00

AFFIDAVIT OF MAILING NOTICE OF DEFAULT

STATE OF OREGON                     )  
   )  
County of Klamath                     ) ss.

I, Nathan J. Ratliff, under oath, state as follows:

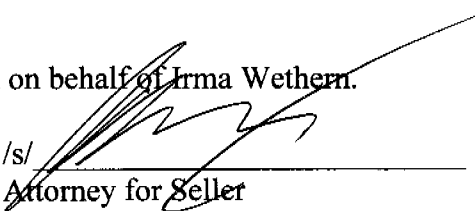
1. Attached as Exhibit "A" is a true and correct copy of the Notice of Default pertaining to the contract described therein (Contract).
2. The Contract contains a "forfeiture remedy" as defined in ORS 93.905(2).
3. The Notice of Default was mailed by both first-class and by certified mail with return receipt requested to the following people at the last-known addresses indicated:

Kyle Ross  
7612 Hwy 26  
Valley Springs, CA 95252

Julia Schoon  
7612 Hwy 26  
Valley Springs, CA 95252


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 Irma Wethern.

/s/   
Attorney for Seller

This instrument was acknowledged before me on January 16, 2013, by Nathan J. Ratliff.



/s/   
Notary Public for Oregon  
My commission expires: June 7, 2013

## 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.* Land Sale Contract (Contract) between **ROBERT V. WETHERN, SR.**, as Seller, and **KYLE ROSS and JULIA SCHOON, Husband and Wife**, as Purchasers, which agreement was signed and entered into on July 6, 2005, regarding which a Memorandum of Contract of Sale was recorded on August 8, 2005, in Book M05 Page 61405 of the Real Property Records of Klamath County, Oregon.

The real property subject of the herein above described contract was conveyed to **IRMA WETHERN** by Deed of Personal Representative recorded December 26, 2012, as Instrument No. 2012-014336 of the Official Records of Klamath County, Oregon.

2. *Property.* The property which is the subject of the Contract has no street address and is more particularly described as follows:

Parcel 1 of Land Partition 26-02 being a replat of Lot 68, Block 12, Klamath Falls Forest Estates, Highway 66 Unit, Plat No. 1. (R388556)

3. *Nature of Default.* The default consists of Purchasers' failure to make timely payment of the amount due under the Contract. Specifically, Purchasers failed to make monthly payments in the amount of \$285.45 for the months of July 2011, August 2011, September 2011, October 2011, November 2011, December 2011 and January 2012.

4. *Amount of Default.* The amount of default is \$15,871.13, plus ten percent (10%) interest from August 1, 2012.

5. *Date Contract Will Be Forfeited.* The Contract will be forfeited if the default is not cured by (70 DAYS FROM TODAY'S DATE)

6. *How to Cure Default.* The default will be cured if by March 27, 2013, the following occurs:

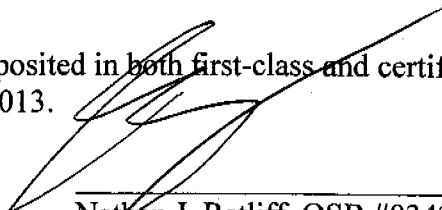
6.1 The sum of \$15,871.13, plus interest at 10% per annum from August 1, 2012, until payment in full, is *received*, on account of the Contract, by Parks & Ratliff, P.C.

7. *Name and Address of Attorney for Seller.*

Nathan J. Ratliff  
Parks & Ratliff, P.C.  
620 Main Street  
Klamath Falls, OR 97601

EXHIBIT A  
PAGE: 1 OF 2

8. *Date Notice Mailed.* This notice is being deposited in both first-class and certified mail with return receipt requested, on January 16, 2013.



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Nathan J. Ratliff, OSB #03426  
of Attorneys for Seller

EXHIBIT A  
PAGE: 2 OF 2

7009 2250 0002 9123 4181

U.S. Postal Service <sup>TM</sup>	
<b>CERTIFIED MAIL<sup>TM</sup> RECEIPT</b>	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$ .45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.75

**Sent To**  
**Julia Schoon**  
Street, Apt. No.,  
or PO Box No. **7612 Hwy 26**  
City, State, ZIP+4 **Valley Springs, CA 95252**

PS Form 3800, August 2006 See Reverse for Instructions

7009 2250 0002 9123 4204

U.S. Postal Service <sup>TM</sup>	
<b>CERTIFIED MAIL<sup>TM</sup> RECEIPT</b>	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$ .45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.75

**Sent To**  
**Kyle Ross**  
Street, Apt. No.,  
or PO Box No. **7612 Hwy 26**  
City, State, ZIP+4 **Valley Springs, CA 95252**

PS Form 3800, August 2006 See Reverse for Instructions

EXHIBIT B  
PAGE: 1 OF 1