

2013-013199

Klamath County, Oregon



00145620201300131990060067

11/27/2013 09:19:41 AM

Fee: \$62.00

After Recording Return to:
Martinis & Hill
P. O. Box 3938
Salem OR 97302

Send Tax Statements to:
David Springer
505 Norway Street
Silverton OR 97381-1246

DECLARATION OF FORFEITURE

STATE OF OREGON,)
) ss.
County of Marion.)

I, DAVID SPRINGER, under oath, state as follows:

1. This Declaration pertains to that certain Land Sale Contract ("Contract") between David Springer, as Seller, and Byron H. Carlile and Michelle L. Carlile, as Purchasers, a Memorandum of which was recorded on November 3, 2010 in Document No. 2010-012905 of the official records of Klamath County, Oregon, which covers that certain real property situated in Klamath County, Oregon, known as 152224 Silver Spur Road, LaPine, Oregon, and more particularly described as follows:

Lot 5 in Block 8 of Wagon Trail Acreages, No. 1, Second Addition, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

2. An Affidavit of Mailing of Notice of Default, with a copy of the Notice of Default attached ("Notice") was recorded on December 13, 2012, Document No. 2012-013851, 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.

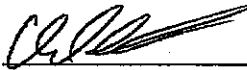
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Page 1 - DECLARATION OF FORFEITURE

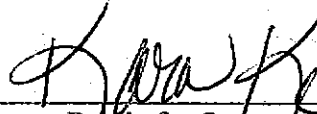
MARTINIS & HILL
110 Madrona Avenue SE, Salem, OR 97302
Mailing Address: PO Box 3938, Salem, OR 97302
Phone: (503) 566-5800; Fax: (503) 566-6775
Email: martinis@opusnet.com

4. The Contract is hereby declared forfeited.
5. I make this Declaration as the Seller under the Contract.



David Springer

This instrument was acknowledged before me on Nov. 5, 2013.



Notary Public for Oregon

My Commission Expires: 12/28/2013



After recording return to:
Martinis & Hill
P. O. Box 3938
Salem OR 97302

2012-03851
Klamath County, Oregon

00128551201200138510030031

12/13/2012 08:32:34 AM

Fee: \$47.00



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 through 93.945.

1. Description of Contract. The Land Sale Contract (Contract) between DAVID SPRINGER, as Seller, and BRYAN H. CARLILE and MICHELLE L. CARLILE, as Purchasers, a Memorandum of which was recorded on November 3, 2010 in Document No. 2010-012905 of the official records of Klamath County, Oregon.

2. Property. The property which is the subject of the Contract is popularly known as 152224 Silver Spur Road, LaPine, Klamath County, Oregon, and is more particularly described as:

Lot 5 in Block 8 of Wagon Trail Acreages, No. 1, Second Addition, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

3. Nature of Default. The default consists of failing to make the required monthly payments of \$676.00 each from December 22, 2010, through the date of this Notice of Default, together with the requisite \$67.60 per month late-payment fee.

4. Amount of Default. The amount of the default is as follows:

4.1 The amount of the default for past-due monthly payments from December 22, 2010, through September 30, 2012 is \$10,022.51, plus interest at 6.25% per annum from April 26, 2012, until paid.

4.2 The amount of the default for unpaid balloon payment due on April 1, 2011 in the amount of \$3,000.00.

4.3 The amount of the default for unpaid real property taxes is \$836.76 through September 30, 2012.

4.4 The amount of the default for unpaid homeowner association assessments in the amount of \$793.17.

5. Date Contract will be Forfeited.
is not cured by November 29, 2012.

The Contract will be forfeited if the default

6. How to Cure Default. The default will be cured if by November 29, 2012 the following occur:

6.1 The sum of \$14,652.44, plus interest at 6.25% per annum from April 26, 2012 until paid, is received on account of the Contract by the attorney for the Sellers, Michael J. Martinis, at P. O. Box 3938, 110 Madrona Avenue SE, Salem, Oregon 97302, in the form of collected funds.

6.2 The additional sum of \$892.00 on account of this matter by the attorney for the Sellers, Michael J. Martinis, at P. O. Box 3938, 110 Madrona Avenue SE, Salem, Oregon 97302. This sum consists of the following:

6.2.1	Title search	\$ 475.00
6.2.2	Recording fees	\$ 67.00
6.2.3	Statutory Attorney fees	\$ 350.00

6.3 The additional sum of \$676.00, as the monthly installment due on October 1, 2012 and for each month thereafter until the time of cure of such default.

7. Name and Address of Attorney for Seller.

Michael J. Martinis, OSB #772688
Martinis & Hill
P. O. Box 3938
110 Madrona Avenue SE
Salem OR 97302

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8. Date Notice Mailed. This Notice is being deposited in both first-class and certified mail with return receipt requested on Bryan H. Carlile and Michelle L. Carlile.

DATED this 19th day of September, 2012.


MARTINIS & HILL

By: _____

Michael J. Martinis
P. O. Box 3938
110 Madrona Avenue SE
Salem OR 97302
Telephone: 503-566-5800
Facsimile: 503-566-6775
Email: martinis@opusnet.com

STATE OF OREGON)
) ss.
County of Marion)

On the 19th day of September, 2012, personally appeared before me the above-named Michael J. Martinis and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary Public for Oregon
My commission expires: 12/28/13



2012 - 13852

Klamath County, Oregon

After Recording Return to:

Martinis & Hill
P. O. Box 3938
Salem OR 97302

00128562201200138520070075

12/13/2012 08:34:12 AM

Fee: \$67.00



AFFIDAVIT OF MAILING OF NOTICE OF DEFAULT

STATE OF OREGON)
) ss.
County of Marion.)

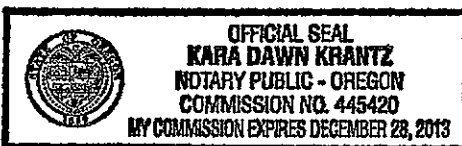
I, MICHAEL J. MARTINIS, being first duly sworn on oath, depose and say:

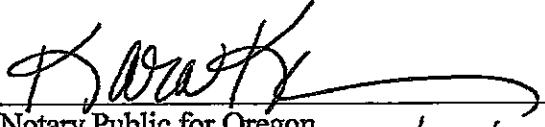
1. Attached as Exhibit "A" is a true and correct copy of the Notice of Default pertaining to the contract described therein.
2. The Contract contains a "forfeiture remedy" as defined by ORS 93.905(2).
3. The Notice of Default was mailed by both first-class and by certified mail with return receipt requested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

Bryan H. Carlile and Michelle L. Carlile
152224 Silver Spur Road
LaPine OR 97339
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 David Springer, Seller.


Michael J. Martinis

SUBSCRIBED AND SWORN to before me this 19th day of September, 2012.




Notary Public for Oregon
My Commission Expires: 12/28/13