2016-009362

Klamath County, Oregon

09/01/2016 01:49:00 PM

Fee: \$62.00

After Recording Return to: Willard L. Ransom Sorenson, Ransom, Ferguson & Clyde, LLP

133 NW D Street Grants Pass, OR 97526

AFFIDAVIT OF MAILING NOTICE OF DEFAULT

STATE OF OREGON, County of Josephine) ss.

- I, WILLARD L. RANSOM, under oath, state as follows:
- Attached as Exhibit A is a true and correct copy of the Notice of Default pertaining to the contract described therein (Contract).
 - The Contract contains a "forfeiture remedy" as defined in ORS 93.905(2). 2.
- The Notice of Default was mailed on June 21, 2016, by both first-class and by certified mail with return receipt requested to the following persons at the last-known address indicated.

Sarah Ann Johnson 522 S. Park Avenue Chiloquin, OR 97624 **Unknown Occupants** 522 S. Park Avenue Chiloquin, OR 97624

Attached as Exhibit B are copies of the Certified Mail Receipts for each of the 4. addresses named in item 3 above.

I make this affidavit as attorney for and on behalf of RONALD L. YOUNG and

THOMAS LEE YOUNG, Contract Seller.

Willard L. Ransom, OSB No. 031372

Sorenson, Ransom, Ferguson & Clyde, LLP

Attorneys for Seller

This instrument was acknowledged before me on June 21,2016.

OFFICIAL STAME NOTARY PUBLIC-OREGON COMMISSION NO. 946723 MY COMMISSION EXPIRES JANUARY 25, 2020

Notary Public for Oregon
My commission expires: 1/25/2020

COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION ■ Complete items 1, 2, and 3. ☐ Agent Print your name and address on the reverse ☐ Addressee so that we can return the card to you. Date of Delivery Attach this card to the back of the mailpiece, or on the front if space permits. D. Is delivery address different from item 1? 1. Article Addressed to: If YES, enter delivery address below: Unknown Occupants 522 S Park Avenue Chiloquin, OR 97624 Service Type ☐ Priority Mail Express® ☐ Adult Signature ☐ Registered Mail™ □ Registered Mail ™ □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation™ ☐ Adult Signature Restricted Delivery Certified Mail® ☐ Certified Mail Restricted Delivery 9590 9403 0691 5196 4920 38 Collect on Delivery Delivery Restricted Delivery 2. Article Number (Transfer from service I Signature Confirmation 7015 0640 0001 9450 3366 Restricted Delivery il Restricted Delivery Domestic Return Receipt PS Form 3811, April 2015 PSN 7530-02-000-9053 U.S. Postal Service™ Domestic Mail Only



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 RONALD L. YOUNG and THOMAS LEE YOUNG, as Seller, and SARAH ANN JOHNSON, as Buyer; a memorandum of which was recorded on November 4, 2014 as Document Number 2014-011541, Official Records of Klamath County, Oregon.
- 2. *Property*. The property which is the subject of the Contract is known as 522 S. Park Avenue, Chiloquin, Oregon, and is more particularly described as follows:

Lots 38 and 39 of PONDEROSA PARK, 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 failure to pay the following amounts:
- 3.1 since December 4, 2014, only seven payments have been made on the obligation in varying amounts, which total \$2,465; through June 4, 2016, nineteen (19) monthly installments of \$520.00 each, plus collection escrow fees of \$10.00 each, were due, for a total sum due of \$10,070; the result is that Buyer has defaulted in payment of minimum monthly payments in the amount of \$7,605 through June 4, 2016;
- 3.2 real property taxes due to Klamath County, Oregon, in the amount of \$1,202.15, including interest through July 15, 2016, are due and unpaid;
- 3.3 reimbursement of \$250 to Seller for attorney fees for a demand letter to Buyer incurred as a result of Buyer's default; and
- 3.4 late charges of \$26 each for installments not paid within 15 days of the due date, incurred for unpaid or late paid installments from December 4, 2014 through June 4, 2016, inclusive; total unpaid late charges of \$494.00, to date.
- 4. Amount of Default. The amount of the default is \$8,349.00 owed to Seller and \$1,232.98 due Klamath County for real property taxes and accrued interest owing as of the date of this notice, for a total monetary default of \$9.581.98 as of the date of this notice.
- 5. Date Contract Will Be Forfeited. The Contract will be forfeited if the defaults are not cured by August 25, 2016.
- 6. How to Cure Default. The default will be cured if by August 25, 2016, the following occur:

SORENSON, RANSOM & FERGUSON, LLP ATTORNEYS AT LAW 133 NW "D" STREET GRANTS PASS, OREGON 97526 PHONE: (541) 476-3883 FAX: (541) 474-4495

\$

- 6.1 The sum of \$7,605.00 is *received* on account of the Contract Seller by AmeriTitle Collection Escrow, the *escrow agent* identified in paragraph 7 below.
- 6.2 The following sums are *received* by Klamath County on or before the dates set out below to pay in full the real property taxes for the 2015-2016 tax year, plus accrued interest to the date payment is *received*:

\$1,232.98, including interest through July 15, 2016, if received on or before that date;

\$1,248.39, including interest through August 15, 2016, if received on or before that date; or

\$1,263.80, including interest through September 15, 2016, received on or before the August 25, 2015.

6.3 The additional sum of \$1,115.00 is *received* on account of this matter by Willard L. Ransom, the *attorney for Seller* identified in paragraph 8 below. This sum consists of the following:

6.2.1	Title Report	\$ 296.00
6.2.2	Recording fees	\$ 57.00
6.2.3	Attorney Fees	\$ 750.00
6.2.4	Certified Mailing	\$ 12.00

- 6.4 The additional sum of \$520.00 each, for the monthly installments and collection escrow fees due July 4, 2016 and August 4, 2016; all of which will accrue prior to the final cure date set out above and must be received by the escrow agent on or before August 25, 2016. If the defaults are fully cured prior to any of the due dates of the monthly installments set forth in this section 6.4, only those additional monthly installments, reserve payments and service fees due at the time the defaults are fully cured must be paid.
- 7. The collection escrow agent for the Contract, to whom the payment under paragraph 6.1 and 6.4 above is to be made, is AmeriTitle Collection Escrow, 300 Klamath Avenue, Klamath Falls, Oregon, 97601, Escrow Account No. 101797.
 - 8. Name and Address of Attorney for Seller.

Willard L. Ransom Sorenson, Ransom, Ferguson & Clyde, LLP 133 NW D Street Grants Pass, OR 97526

9. Date Notice Mailed. This notice is being deposited in both first-class and certified mail with return receipt requested, on June 21, 20/16
Willard L. Ransom, Attorney for Seller