

2017-005538

Klamath County, Oregon



00203982201700055380060061

05/19/2017 01:45:01 PM

Fee: \$67.00

After recording, return to:
William M. Ganong
Attorney at Law
514 Walnut Avenue
Klamath Falls OR 97601

Send tax statements to:
Mike R. Boyd
731 SW Wade
Madras OR 97741

Returned at Counter

AFFIDAVIT OF FORFEITURE
ORS 93.930

STATE OF OREGON, County of Klamath) ss.

I, William M. Ganong, being first duly sworn, depose and say as follows:

1. On February 27, 2017, I caused to be recorded as Document No. 2017-001976 of the Records of the Clerk of Klamath County, Oregon, an Affidavit of Mailing ORS 93.905 (2) and a Notice of Default pursuant to ORS 93.905 - 93.940 of the Contract of Sale between Mike R. Boyd as Seller, and Shane Sumrall, as Purchaser, recorded on September 5, 2013 as Document No. 2013-010153 of the Records of Klamath County, Oregon. Copies of said Affidavit of Mailing and Notice of Default are attached hereto.

2. The default of the purchaser under the Contract described in said Notice of Default was not cured within the time provided in ORS 93.915, and the Contract described in said Notice of Default is declared to be forfeited.

3. Pursuant to the terms of the Contract and to Oregon statute, Mike R. Boyd is declared to be the owner of the following-described real property in Klamath County, Oregon:

The Northwest half of Lots 6, 7, 8, and 9, of Block 2, HOLLISTER ADDITION, to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.


Klamath County Assessor's Parcel No. R-3809-032AD-00400 and
Property ID No. 476639

More commonly referred to as 505 S 8th Street, Klamath Falls, Oregon

free and clear of the interest of the Contract purchaser named in said Notice of Default and of anyone claiming by or under him.

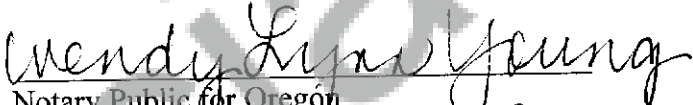
4. The Certificate of Non-Military Service of Mike R. Boyd is attached hereto.

Dated this 19th day of May 2017.

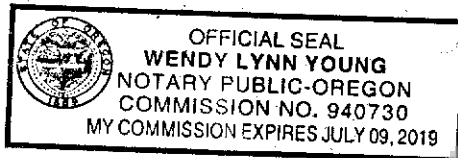


William M. Ganong, OSB No. 782137
Attorney for Seller

This instrument was acknowledged before me on May 19, 2017 by William M. Ganong.



Notary Public for Oregon
My Commission Expires: 7.9.19



Unofficial Copy



00199642201700019760030039

02/27/2017 10:12:38 AM

Fee: \$52.00

AFTER RECORDING RETURN TO:

William M. Ganong
Attorney at Law
514 Walnut Avenue
Klamath Falls OR 97601

AFFIDAVIT OF MAILING NOTICE OF DEFAULT

STATE OF OREGON, County of Klamath) ss.

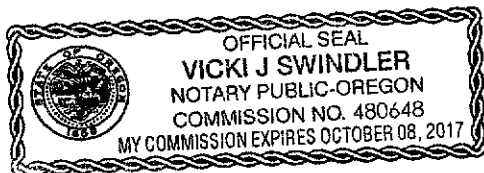
I, Wendy Young, under oath, state as follows:

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. On February 23, 2017, I mailed the Notice of Default by both first-class and certified mail with return receipt requested by depositing true, full, and exact copies thereof in the United States Mail at Klamath Falls, Oregon addressed to the following parties at their last-known addresses:
 - 3.1 Shane Sumrall
505 S 8th Street
Klamath Falls OR 97601
4. I make this affidavit as secretary to and under the direction of William M. Ganong, who is the attorney for Mike R. Boyd, 731 SW Wade, Madras, Oregon 97741.

Dated this 23 day of February 2017.

Wendy Young
Wendy Young, Secretary to
William M. Ganong

Signed and sworn to before me this 23 day of February 2017, by Wendy Young.



Vicki Swindler
Notary Public for Oregon
My Commission Expires: 10-8-17

3-3-17
OFFICE
2017

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. Contract of Sale (Contract) between Mike R. Boyd, as Seller, and Shane Sumrall, as Purchaser, which was recorded on September 5, 2013 as Document No. 2013-010153 of the Official Records of Klamath County, Oregon.

2. Property. The property that is the subject of the Contract is more particularly described as follows:

The Northwest half of Lots 6, 7, 8, and 9, of Block 2, HOLLISTER ADDITION, to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Klamath County Assessor's Parcel No. R-3809-032AD-00400 and Property ID No. 476639

More commonly referred to as 505 S 8th Street, Klamath Falls, Oregon

3. Nature of Default. The default consists of Purchaser's failure to make the monthly installment payments of \$303.16, since the payment due on January 1, 2017 and the late payment penalty of \$75 each month since January 2017; Purchaser's failure to pay the real property taxes owing before the same became delinquent; and Purchaser's failure to provide proof of homeowner's insurance.

4. Date Contract Will Be Forfeited. The Contract will be forfeited if the default is not cured by April 28, 2017.

5. How to Cure Default. The default will be cured if by April 28, 2017, the following occur:

5.1 By paying the monthly installment payments of \$303.16 that were due on or about January 1, 2017 and on the same day of every month thereafter

NOTICE OF DEFAULT - 1

EXHIBIT A
PAGE 1 OF 2

(\$606.32 as of February 1, 2017); by paying the monthly late charge of \$75 for each month since January 2017 to and including February 2017 (\$150); by paying the real property taxes owing for tax years 2013-2014, 2014-2015, and 2015-2016 in the sum of \$2,445.72, good through February 15, 2017; and by providing proof of property damage insurance.

5.2 By paying the additional sum of \$856 for forfeiture costs and fees to William M. Ganong, the attorney for Seller, at the address set forth above. This sum consists of the following:

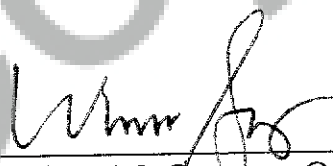
5.2.1 Title search	\$276
5.2.2 Recording fees	\$160
5.2.3 Mailing fees	\$ 70
5.2.4 Attorney Fees	\$350

6 Name and Address of Attorney for Seller.

William M. Ganong, OSB No. 782137
Attorney at Law
514 Walnut Avenue
Klamath Falls OR 97601
541.882.7228 - office 541.883.1923 - fax
E-Mail: wganong@aol.com

7. Date Notice Mailed. This notice is being deposited in both first-class and certified mail with return receipt requested on February 23, 2017.

8. This is an attempt to collect a debt and any information received from you will be used for that purpose.



William M. Ganong, OSB No. 782137
Attorney for Seller

NOTICE OF DEFAULT - 2

EXHIBIT A
PAGE 2 OF 2

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON, County of Klamath) ss.

THIS IS TO CERTIFY That I am the Seller under that certain Contract of Sale between Mike R. Boyd, Seller, and Shane Sumrall, as Purchaser, of certain real property in Klamath County, Oregon more particularly described in said Contract of Sale, a Memorandum of which was recorded on September 5, 2013 as Document No. 2013-010153 of the Official Records of Klamath County, Oregon. I reasonably believe and to the best of my knowledge, Shane Sumrall was not in the military service within 367 days before the recording of the Notice of Default, nor was the real property described in and covered by said Contract of Sale, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940", as amended, nor by a minor or incapacitated person. In addition, during the same time period.

Dated this 19 day of May 2017.


Mike R. Boyd

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on May 19, 2017 by Mike R. Boyd.


Notary Public for Oregon

My Commission Expires: 7-9-19

