

Returned at Counter

2017-010087
Klamath County, Oregon

AFTER RECORDING RETURN TO:

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



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09/06/2017 12:36:04 PM

Fee: \$57.00

AFFIDAVIT OF MAILING NOTICE OF DEFAULT

STATE OF OREGON, County of Klamath) ss.

I, William M. Ganong, 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 between Andrew A. Patterson, Trustee of the BMRMG 401 K Plan, and William M. Ganong, Trustee of the WMGPS Trust, Sellers, and Regine Patton and Shayla Mc Knight, with right of survivorship, Purchasers, which was recorded on September 5, 2013 as Document No. 2013-010153 of the Official Records of Klamath County, Oregon (Contract).
2. The Contract contains a "forfeiture remedy" as defined in ORS 93.905(2).
3. On September 6, 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 Regine Patton
131 Alder St. Apt 123
Central Point, OR 97502
 - Shala McKnight
131 Alder St. Apt 123
Central Point, OR 97502

Dated this 6th day of September 2017.

William M. Ganong

Signed and sworn to before me this 6th day of September, 2017, by William M. Ganong.



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

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 Andrew A. Patterson, Trustee of the BMRMG 401 K Plan, and William M. Ganong, Trustee of the WMGPS Trust, Sellers, and Regine Patton and Shayla Mc Knight, with right of survivorship, Purchasers, 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:

Lot 16 in Block 5, Klamath Falls Forest Estates Highway 66 Unit, Plat No. 1, according to the official plat thereof on file in the office of the County Clerk, County of Klamath, State of Oregon. Klamath County Tax lot No. R-3711-017A0-00800-000.

3. **Nature of Default.** The default consists of Purchaser's failure to make monthly installment payments of \$175.00 since the payment due on December 18, 2016 and the late payment penalty of \$25 each month since December 2016; and Purchaser's failure to pay the real property taxes for the tax year 2016-2017 before the same became delinquent.

4. **Date Contract Will Be Forfeited.** The Contract will be forfeited if the default is not cured by January 16, 2018.

5. **How to Cure Default.** The default will be cured if by January 15, 2018, the following occur:

5.1 By paying to Sellers the monthly installment payments of \$175.00 each which were due on December 18, 2016 and on the same day of each month thereafter; by paying the monthly late charge of \$25 for each month since December 2016;

5.2 By paying the real property taxes and interest for tax year 2016-2017 to the tax collector and Klamath County, Oregon; and

5.3 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; and


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 September 6, 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

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

Federal law gives you thirty days after you receive this letter to dispute the validity of the debt or any part of it. If you do not dispute it within that time period, I will assume that it is valid. If you do dispute it by notifying me in writing to that effect, I will, as required by law, obtain and mail proof of the debt to you. If within the same time period you request in writing the name and address of your original creditor, if your original creditor is different from the current creditor, I will furnish you with that information. The law does not require me to wait until the end of the thirty-day period before beginning any foreclosure action to collect this debt. If, however, you request proof of the debt or the name and address of the original creditor within the thirty-day period, which begins with your receipt of this letter, the law requires me to suspend my efforts to collect the debt until I mail the requested information to you. A notice of your rights under the Fair Debt Collection Practices Act is attached hereto.

Unofficial Copy