

Returned at Counter

2019-013443
Klamath County, Oregon



11/18/2019 01:50:03 PM

Fee: \$102.00

AFTER RECORDING RETURN TO:
Scott D. MacArthur, OSB 892960
Scott D. MacArthur, P.C.
125 S. 6th Street
Klamath Falls, OR 97601

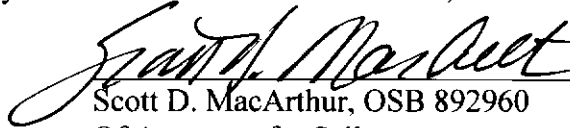
AFFIDAVIT OF MAILING NOTICE OF DEFAULT

STATE OF OREGON)
) ss.
County of Klamath)

I, Scott D. MacArthur, under oath state as follows:


1. Attached as Exhibit "A" is a true and correct copy of Notice of Default pertaining to the contract described therein (Contract)
2. The Contract contains a "forfeiture remedy" as defined by ORS 90.905(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:

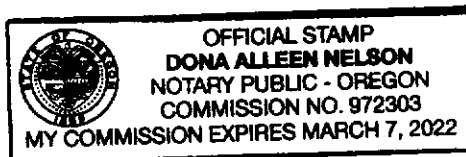
Jeffrey R. Kemper
3132 E. Main Street
Hillsboro, OR 97123
4. Attached as Exhibit "B" is a copy of the Certified Mail Receipt for each of the addresses named in Item 3 above.
5. I make this affidavit as attorney for and on behalf of DT Services, Inc..


Scott D. MacArthur, OSB 892960
Of Attorneys for Sellers

The foregoing instrument was acknowledged before me this 5th day of November, 2019,
by Scott D. MacArthur.

(SEAL)

Before me: 
Notary Public for Oregon
My Commission Expires: 3-7-2022



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 D T Services, Inc, as seller, and Jeffrey D. Kemper, as purchaser, which agreement was signed and entered into on September 6, 2017, without a memorandum having been recorded by a county recording officer.

2. **Property.** The property which is subject of the contract covers that certain real property located in Klamath County, Oregon, and which is more particularly described as follows:

Lot 24, Block 13, SPRAGUE RIVER VALLEY ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

3. **Nature of Default.**

Violation of the Klamath County Code, Section 401.020(1) SPECIFIC NUISANCE

Violation of the Klamath County Land Development Codes: Specifically: Article 14.020.

A Copy of the Violation Notice is attached hereto as Exhibit "A"

And in case the buyer shall fail to make the payments above required, or any of them, time being of the essence, punctually within 20 days of the time limited therefor, or fail to keep any agreement herein contained, or fail to keep any agreement herein contained, then the seller shall have the following rights and obligations:

To declare the contract cancelled for default and null and void, and to declare the purchaser's rights forfeited and the debt extinguished, and to retain sums previously paid hereunder by the buyer.

4. **Amount of Default.** Pursuant to the Contract, Seller has declared the whole unpaid principal balance of said purchase price with interest thereon at once due and payable \$10,367.85 as of September 27, 2019, plus interest.

5. **Date Contract will be forfeited.** The Contract will be forfeited if the default is not cured by (60 DAYS FROM TODAY'S DATE.)


6. **How to Cure Default.** The default will be cured if by January 10, 2020, the whole unpaid principal balance of said purchase price with interest thereon is paid.

7. **Name and Address of Attorney for Seller.** Scott D. MacArthur, Scott D. MacArthur, P.C., 125 S. 6th Street, Klamath Falls, OR 97601.

8. **Date Notice Mailed.** This notice is being deposited both first-class and certified

Ex A

mail with return receipt requested on November 5, 2019.



Scott D. MacArthur, OSB 892960
Of Attorneys for Sellers



KLAMATH COUNTY CODE ENFORCEMENT

305 Main Street, Klamath Falls OR 97601
(541) 883-5121 # 5 Fax (541) 885-3644

October 23, 2019

Code Case #: 483-19-001251-NVST

DT SERVICE INC.
63 VIA PICO PLZ 544
SAN CLEMENTE, CA 92672

RE: R-3612-002A0-05200-000, BEATTY, OR

Dear Property Owner,

I issued **Citation # 2143** for failure to comply with Klamath County Code; below are the specific issues.

You are in violation of the following Klamath County code violations:

401.020 (1) Specific Nuisances.


(i) Any abandoned, inoperable, or unlicensed vehicle, or parts thereof, legally or physically incapable of being operated must be completely enclosed within a building and/or carport unless the owner of the property is lawfully authorized to operate a business specifically for the purpose of storage of discarded vehicles.

In addition, the Klamath County Land Development Code **Article 82** allows camping on private property for up to 21 days in any 6 month period. Klamath County Land Development Code further states: The definition of camping is the occupancy of private property within a tent, tent trailer, shelter, vehicle, or recreation vehicle not within an authorization / designated camping facility and deemed a nuisance.

The 1st appearance court hearing is scheduled for Tuesday, November 19, 2019, between 1:30pm and 3:30pm to enter a plea with the Justice Court at 6500 S. 6th Street, Klamath Falls, OR 97603

If all issues are abated prior to court, we will dismiss this citation. Please contact us by November 8th, 2019 so we can re-inspect the property for compliance.

Thank you in advance for your attention to this matter.


Jason Adams
Code Enforcement Officer
Klamath County Oregon

Ex "A"

Komig

KLAMATH FALLS
317 S 7TH ST
KLAMATH FALLS, OR 97601-6170
404576-0601
(800)275-8777
11/05/2019 03:56 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter (Domestic) (HILLSBORO, OR 97123) (Weight: 0 Lb 0.80 Oz) (Estimated Delivery Date) (Thursday 11/07/2019)	1	\$0.55	\$0.55
First-Class Mail® Letter (Domestic) (HILLSBORO, OR 97123) (Weight: 0 Lb 0.90 Oz) (Estimated Delivery Date) (Thursday 11/07/2019)	1	\$0.55	\$0.55
Certified (USPS Certified Mail #) (70150640000185478468)			\$3.50
Return Receipt (USPS Return Receipt #) (9590940253359154170498)			\$2.80
Total:			\$7.40

Personal/Bus Check \$7.40

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

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Track your Packages
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840-5970-0265-004-00027-10767-02

or scan this code with your mobile device:



7015 0640 0001 8547 8468

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

POSTMARK
HILLSBORO, OR 11/05/2019

Certified Mail Fee \$3.50
Postage \$2.80
Total Postage and Fees \$6.30

Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$2.80
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Sent To *Jeffrey R. Komig*
Street and Apt. No., or PO Box No. *3132 E. Main Street*
City, State, ZIP+4® *Hillsboro, OR 97123*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Ex "B"