

Returned at Counter

After Recording Return to:
Andrew C. Brandsness
411 Pine Street
Klamath Falls, OR 97601

2021-015757

Klamath County, Oregon



00289371202100157570090098

10/19/2021 01:58:46 PM

Fee: \$122.00

DECLARATION OF FORFEITURE

STATE OF OREGON)
) ss.
County of Klamath)

I, Andrew C. Brandsness, under oath state as follows:

1. This declaration pertains to that certain Land Sale Contract ("Contract") between S Garland, Inc. as Seller, and Ignacio H. Vega, as Purchaser. The property that is the subject of the Contract is more particularly described as follows:

LOT 13, BLOCK 44, FIRST ADDITION TO KLAMATH FOREST ESTATES

LOT 14, BLOCK 44, FIRST ADDITION TO KLAMATH FOREST ESTATES

KLAMATH COUNTY, OREGON

2. A Notice of Default ("Notice") was mailed by certified return receipt requested ("Exhibit A"), first-class mail, and email to the Purchaser on July 8, 2021 ("Exhibit B").

3. The default described in the Notice was not cured within the time specified, as required by ORS 95.915.

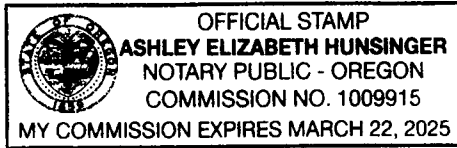
4. The Contract is hereby declared forfeited.


5. I make this declaration as attorney for and on behalf of S Garland, Inc.

Dated this 19 day of October, 2021.

Andrew C. Brandsness, OSB# 831597
Attorney for S. Garland, Inc.
Email: andy@brandsnessrudd.com

This instrument was acknowledged before me on October 19,
2021, by Andrew C. Brandsness.





Notary Public for Oregon
My commission expires: 3/22/25

7015 0640 0002 4520 8516

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To <u>Danacio H. Vega</u>	
Street and Apt. No., or PO Box No. <u>3853 W. 104 St Apt #5</u>	
City, State, ZIP+4® <u>Inglewood CA 90303</u>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

NOTICE OF DEFAULT

Via Email: ignaciovega@gmail.com
Via First-Class Mail; Via Certified Mail
Return Reciept Requested
Ignacio H. Vega
3853 W. 104th Street, Apt. #5
Inglewood, CA 90303

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 between S Garland, Inc. as Seller, and Ignacio H. Vega as Purchaser.

2. *Property.* The property which is the subject of the Contract is known as R-3510-028D0-03100-000 & R-3510-028D0-03200-000, Sprague River, Oregon and is more particularly described as follows:

LOT 13, BLOCK 44, FIRST ADDITION TO KLAMATH FOREST ESTATES

LOT 14, BLOCK 44, FIRST ADDITION TO KLAMATH FOREST ESTATES

KLAMATH COUNTY, OREGON

3. *Nature of Default.* The default consists of the violation of Klamath County Land Development Code Article 14.020, Article 41.020, Article 64.010, and Article 64.020. See attached Code Citation #10515.

4. *Date Contract Will Be Forfeited.* The Contract will be forfeited if the default is not cured by midnight on October 9, 2021.

5. *How to Cure Default.* The default will be cured if by October 8, 2021, the following occur:

5.1 Cease County code violations. See attached code citation #10515 and pay Seller's attorney's fees of \$350.

6. *Name and Address of Attorney for Seller.*

Andrew C. Brandsness
Brandsness, Brandsness & Rudd P.C.
411 Pine Street
Klamath Falls, OR 97601

7. *Date Notice Mailed.* This notice is being deposited in both first-class and certified mail with return receipt requested, on July 8, 2021.

IMPORTANT CONSUMER NOTICE

UNLESS YOU NOTIFY THIS OFFICE WITHIN 30 DAYS after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice, this office will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to you. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

This is an attempt to collect a debt. Any information obtained will be used for that purpose.

CITATION AND SUMMONS TO APPEAR IN COURT

Please appear in the marked location below.

☐ Circuit Court of the State of Oregon, County of Klamath
316 Main St., Klamath Falls, Oregon

☒ Justice Court of the State of Oregon, County of Klamath
6500 S. 6th St., Klamath Falls, Oregon

KLAMATH COUNTY, OREGON

No 10515

Name S. Cleveland Inc.
Last First Middle

Address 103 Via Pico Plaza #544 Phone _____

City and State Santa Clemente, CA Zip 92672

Identification _____ D.O.B. _____

At the location of R-3570-03500-03100-0001 at 3:23M.

On the 15th day of June 2021 Spring River, OR in Klamath County,

Oregon you did unlawfully commit the offense of

Klamath County Land Development Code Name

Article 14.41 = \$720--

Article 14.4 = \$720--

See Exhibit A

401.330 Contrary to KCC Section/KC Ord: KCLDP

Article 14.41, I, [Signature], certify that I have been authorized to issue this Citation and Summons, that I have reasonable grounds to, and do believe that the above named person committed the above offense contrary to the County Code/Ordinance, and that I served a copy of this complaint and summons on the above named person.

6/17/21 [Signature]
(Date) (Enforcement Officer)

SUMMONS

You are summoned to appear in the above court on

the 14th day of July, 2021

at 1:30-3:30 PM, and plead to said charge.

IMPORTANT NOTICE: If you fail to appear, the Court may immediately enter a default judgment against you.

(Instructions on reverse side.)

SCHEDULED PENALTY

\$ 1440--

See Exhibit A

NAME

FIRST

MIDDLE

Name

S.

C.

C.

C.

C.

C.

C.

C.

C.

C.

C.

C.

C.

C.

READ CAREFULLY

If you are charged with any offense, you **MUST** do **ONE** of the following.

1. Appear in court at the time mentioned in this Citation and Summons and request a hearing.

2. Mail to the court within fourteen (14) days of receipt, this Citation and Summons, together with a check or money order in the amount of the penalty indicated and tell the court you request a hearing. If you don't want a hearing, but wish to explain your side, send your explanation with the Citation and Summons and penalty. The court will then consider your explanation and may forfeit your penalty, or part of it, on the basis of your explanation and what the officer tells the court.

3. Sign the pleas of guilty below and send this Citation and Summons to the court, together with check or money order in the amount of penalty indicated on the reverse side. If you wish to explain your side you may send your explanation with guilty plea, Citation and Summons, and penalty. The Citation and Summons and penalty must reach the court before the time you are required to appear in court.

NOTE: If you have already given penalty or other security for your appearance, proceed as mentioned above but do not send in any additional sum as penalty.

APPEARANCE, PLEA OF GUILTY AND WAIVER

I, the undersigned, do hereby enter my appearance on the complaint of the offense charged on the other side of this document. I have been informed of my right to a trial, that my signature to this plea of guilty will have the same force and effect as a judgment of court, and that this record will be retained by the State. I do hereby **PLEAD GUILTY** to said offense as charged, **WAIVE** my right to a **HEARING** by the court, and agree to pay the penalty prescribed for my offense.

Defendant's Name

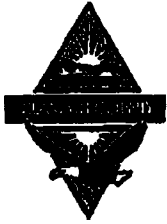
Residence

Mail your Remittance to the Court which you were cited to appear

Circuit Court
216 Main St.
Klamath Falls, OR 97601

NOTICE

Justice Court
6500 S. 6th St.
Klamath Falls, OR 97603



KLAMATH COUNTY CODE ENFORCEMENT

305 Main Street, Klamath Falls OR 97601
(541) 851-3667 | Fax (541) 885-3644

June 17, 2021

CODE CASE # 483-21-000459-NVST

S. GARLAND INC.
63 VIA PICO PLAZA #544
SAN CLEMENTE, CA 92672

RE: R-3510-028D0-03100-000 & R-3510-028D0-03200-000, SPRAGUE RIVER, OR

Dear Property Owner,

I issued Citation #10515 for failure to comply with Klamath County Code; below are the specific issues.

Klamath County Land Development Code

Article 14.020 – PROHIBITIONS

No person, firm, corporation or other entity shall locate, construct, maintain, repair, alter, or use a building or other structure or use or transfer land in violation of this Code and other applicable ordinances.

Article 41.020 - APPLICATION

Unless otherwise specified by this code, review of a site plan is required for:

- A. Issuance of a building permit for new construction exclusive of interior remodeling;
- B. Land use decisions involved in making a determination of land use compatibility for any state or federal agency;
- C. The construction, relocation, addition, extension, occupancy or use change of structure;
- D. Any development, or change of land use; or
- E. Time extension requests.

64.010 - PURPOSE

The purpose of establishing and maintaining standards for fences, walls and screening are to protect certain uses from intrusion, to protect the public from uses which may be hazardous, and to increase compatibility of different land uses.

64.020 - VISION CLEARANCE

No fence, wall, hedge, or other visual obstruction shall be created, placed, maintained or allowed to exceed 4 feet in height within 25 feet of the intersection of the right-of-way lines of two streets, a public street and a private street, or a street and a railroad property line.

Height shall be measured from the edge of the improved roadway surface. In accordance with the Type I Administrative Review Procedure the Planning Director may order the removal or modification of such sight obstructions which conflict with this section. The Planning Director's order may be appealed pursuant to Article 33.

The 1st appearance court hearing is scheduled for Tuesday, July 6th, 2021 between 1:30 and 3:30pm to enter a plea with the Justice Court at 6500 S. 6th Street, Klamath Falls, OR 97603. This can be done in person or over the phone by calling Justice Court at 541-884-1864 anytime between now and the appearance date. If all issues are abated prior to the court, we will dismiss this citation. Please contact us by June 28th, 2021 so we can re-inspect the property for compliance.

Thank you

Earl H. Perry 
Building Code Enforcement Officer
Klamath County Oregon