

Returned at Counter

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

2022-005563
Klamath County, Oregon



05/02/2022 03:44:32 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 Creekside Developments, LLC as Seller, and Andrew Cibotti and Stacey Campbell, as Purchasers. The property that is the subject of the Contract is more particularly described as follows:

PARCEL ID: 402898

LEGAL DESCRIPTION: KLAMATH FALLS FOREST ESTATES HWY 66 PLAT #4 BLK-107 LOT 8, KLAMATH COUNTY, OREGON

2. A Notice of Default ("Notice") was mailed by certified return receipt requested ("Exhibit A") first-class mail and emailed to the Purchasers on February 23, 2022 ("Exhibit B").

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

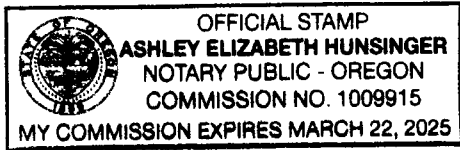
4. The Contract is hereby declared forfeited.

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

Dated this 2 day of May, 2022.

Andrew C. Brandsness, OSB# 831597
Attorney for Creekside Developments, LLC
Email: andy@brandsnessrudd.com

This instrument was acknowledged before me on May 2,
2022, by Andrew C. Brandsness.





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

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece or on the front if space permits.</p>		<p>A. Signature <i>[Signature]</i></p> <p>B. Received by (Printed Name) <i>[Signature]</i></p> <p>C. Date of Delivery <i>[Signature]</i></p>	
<p>1. Article Addressed to:</p> <p>Andrew C. Both Stacy C. Both 513 Washington St Klamath Falls, OR 97603</p> <p>9596 9402 5823 0034 5897 51</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>2. Article Number (transfer from service label)</p> <p>PS Form 381 4-87 (Rev. 5-89) PSN 7530-01-000-9000 A08</p>		<p>Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery</p> <p><input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt <input type="checkbox"/> Return Receipt Restricted Delivery</p>	
<p>PS Form 381 4-87 (Rev. 5-89) PSN 7530-01-000-9000 A08</p>		<p>Domestic Return Receipt</p>	

NOTICE OF DEFAULT

Via Email: dcibottill14@gmail.com
Via First-Class Mail; Via Certified Mail
Return Reciept Requested
Andrew Cibotti
Stacy Campbell
7000 Benbow Drive
Garberville, CA 95542

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 Creekside Developments, LLC as Seller, and Andrew Cibotti and Stacy Campbell as Purchasers.

2. *Property.* The property which is the subject of the Contract is known as:

PARCEL ID: 402898

LEGAL DESCRIPTION: KLAMATH FALLS FOREST ESTATES HWY 66 PLAT #4 BLK-107 LOT 8, KLAMATH COUNTY, OREGON

3. *Nature of Defaults.*

1. The default consists of failure to make monthly payments of \$284.00 since April 2021.

2. Violation of Klamath County Code Article 82. See attached citation No. 10394.

4. *Amount of Default.* The amount of the default is \$3,433.00, which includes \$25 late fees since April 2021.

5. *Date Contract Will Be Forfeited.* The Contract will be forfeited if the default is not cured by midnight on April 24, 2022.

6. *How to Cure Default.* The default will be cured if by April 24, 2022, the following occur:

6.1 The sum of \$3,433.00 is received on account of the Contract by April 30, 2022.

6.2 Cease violation of Klamath County Code Article 82.

6.2 Pay Seller's attorney's fees of \$350.
6.3 Vacate the premises unless the proper government permits are obtained.

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

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

8. *Date Notice Mailed.* This notice is being deposited in email and both first-class and certified mail with return receipt requested to the last known address of the following persons or their legal representatives on February 23, 2022.

Andrew Cibotti	Andrew Cibotti
Stacy Campbell	Stacy Cibotti
7000 Benbow Drive	513 Washington Street
Garberville, CA 95542	Klamath Falls, OR 97601

IMPORTANT CONSUMER NOTICE

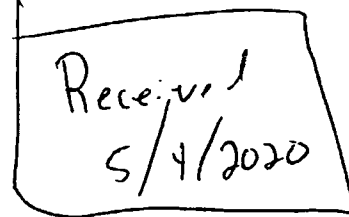
UNLESS YOU NOTIFY THIS OFFICE WITHIN 30 DAYS after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice, this office will obtain verification of 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.



KLAMATH COUNTY CODE ENFORCEMENT

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



CODE CASE # 483-21-000359-NVST

April 23, 2021

CREEKSIDE LAND AND TRUST
1936 BRUCE B. DOWNS 551
WESLEY CHAPEL, FL 33544

RE: R-3711-036B0-03100-000, BONANZA, OR

Dear Property Owner,

I issued **Citation #10394** for failure to comply with Klamath County Code; below are the specific issues.

401.020 (1) Specific Nuisances.

401-020(1) (b) Accumulation, collection or storage of solid waste, hazardous waste, garbage, sewage sludge, or liquid waste, without prior approval of the County Health Officer/Public Health Administrator, or Solid Waste Department, unless the person is licensed by lawful authority to operate a business specifically for those purposes, franchised or has been issued a permit by lawful authority, and storage or accumulation occurs on such property which allows such use as a permitted use under the Klamath County Zoning and Land Use Ordinances.

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, May 11th, 2021 between 1:30 and 3:30pm to enter a plea with the Justice Court at 6500 S. 6th Street, Klamath Falls, OR 97603.

Exhibit "B"

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Creekside038

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 May 3rd, 2021 so we can re-inspect the property for compliance.

Thank you

Casey Blevins

Casey Blevins
Code Enforcement Officer
Klamath County Oregon

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

10394

Name Creekside Land Trust
Last First Middle

Address 19316 Bruce B. Davis 55th

City and State Wesley Chapel, FL Zip 33544

Identification _____ D.O.B. _____

At the location of R. 3711-03650-03100-CC at 1:57 PM

On the 21st day of April 2021, in Klamath County,

Oregon you did unlawfully commit the offense of

421.070(2)
(b) = \$720-
Klamath County Land Development Code
Article 82 = \$720-

161310 Contrary to KCC Section/KC Ord: 421.070(2)

Article 82, (b) I, 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.

4/22/21 (Date) Cassie B. Brown (Enforcement Officer)

SUMMONS

You are summoned to appear in the above court on

the 11th day of May, 2021
at 1:30-3:30 M. and plead to said charge.

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

SCHEDULED PENALTY

Creekside 0406 Exhibit "B"

(Instructions on reverse side.)

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)

(Address)

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

Circuit Court
316 Main St.
Klamath Falls, OR 97601

NOTICE

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