

Returned at Counter



05/04/2023 03:14:19 PM

Fee: \$107.00

After Recording Return to:
Nathan J. Ratliff
Parks & Ratliff, P.C.
620 Main Street
Klamath Falls, OR 97601

AFFIDAVIT OF FORFEITURE

STATE OF OREGON; County of Klamath) ss.

I, Jerome Brown , under oath, state as follows:

1. This declaration pertains to that certain Land Sale Contract (Contract) between myself, **JEROME BROWN**, as Sellers, and **DONNA ADAMS and DANIEL ADAMS**, as Purchaser, described in the Memorandum of Contract of Sale signed April 25, 2021, relating to the real property in Klamath County Oregon, described as follows:

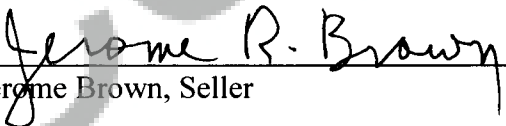
Lot 17 Block 120 of Klamath Falls Forest Estates, Highway 66 Unit, Plat No. 4, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

2. Purchaser defaulted on obligations set forth in the Contract

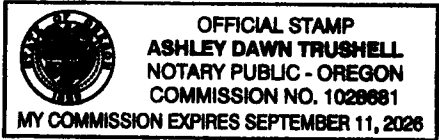
3. An Affidavit of Mailing Notice of Default, with a copy of the Notice of Default attached (Notice), was recorded on April 25, 2023, as Instrument No. 2023-003111 of the Official Records of Klamath County, Oregon. A true and correct copy of the Affidavit of Mailing of Notice of Default and the Notice of Default are attached hereto.

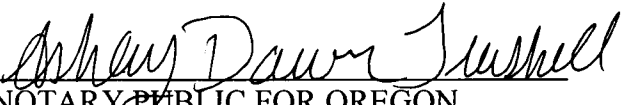
3. The default described in the Notice was not cured within the time specified, as required by ORS 93.915.

4. The Contract, and all right, title and interest of the Purchaser relating to the subject real property are hereby forfeited. Furthermore, any and all other rights or remedies of the Purchaser as against the Seller in relation to the subject real property, or the transaction between the parties are likewise forfeited and or no further force or effect, including, but not limited to, those described in ORS 93.930(2).


Jerome Brown, Seller

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 3 day of May, 2023, by Jerome Brown.




NOTARY PUBLIC FOR OREGON
My Commission expires: 9/11/2026

Returned at Counter

After Recording Return to:
Parks & Ratliff, P.C.
620 Main Street
Klamath Falls, OR 97601

2023-003111

Klamath County, Oregon

00314091202300031110050057

04/25/2023 03:42:16 PM

Fee: \$102.00

AFFIDAVIT OF MAILING NOTICE OF DEFAULT

STATE OF OREGON)
)
County of Klamath) ss.

I, Nathan J. Ratliff, 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 Notice of Default was mailed by both first-class and by certified mail with return receipt requested to Purchasers at the following addresses on January 18th, 2020.

Donna Adams
755 NE Circle Blvd Space # 50
Corvallis, OR 97330

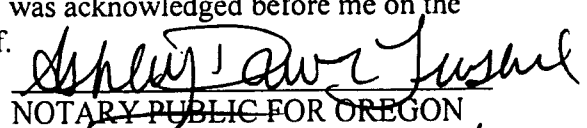
Daniel Adams
C/O Columbia River Correctional
Institution
SID #: 8473487
9111 NE Sunderland Ave
Portland, OR 97211

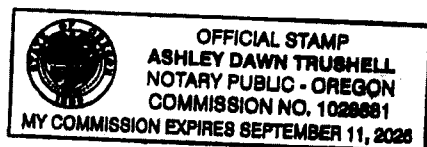
3. Attached as Exhibit "B" is a copy of the Certified Mail Receipt.
4. I make this affidavit as attorney for and on behalf of Seller, Cindy Collier.


Nathan J. Ratliff, OSB# 034269
Attorney for Seller

STATE OF OREGON' County of Klamath) ss.

THE FOREGOING INSTRUMENT was acknowledged before me on the
25 day of April, 2023, by Nathan J. Ratliff.


NOTARY PUBLIC FOR OREGON
My Commission Expires: 9/11/2026



NOTICE OF DEFAULT

Attention to Purchaser: Donna Adams and Daniel Adams

Map 3811-011B0-01000 PCL: 400

Klamath County, Oregon

This Notice of Default is sent for the purpose of complying with ORS 93.915.

1. **Description of Contract:** Contract of Sale (Contract), between Jerome Brown, Seller, and Donna Adams and Daniel Adams, Purchasers, described in the Contract For Deed signed April 25, 2021.

2. **Property:** You are in default under the terms of that Contract for sale of real property described as:

Lot 17 Block 120 of Klamath Falls Forest Estates, Highway 66 Unit, Plat No. 4, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Jerome Brown is the Seller under said contract dated on or about April 25, 2021.

3. **Nature of Default:** Pursuant to the terms of that Contract, regular monthly payments were due on the 1st of every month and those payments were not made when due for the months of September, October, and November of 2022, and January, March, May, June July, August, September, October, November, and December of 2023. Additionally, you are delinquent on real property taxes assessed against the property for the years 2021 and 2022 in the total amount of \$168.05. Of these delinquent taxes, \$168.05 was paid by the seller.
4. **Date Contract Will be Forfeited:** To date, the amount owing on the contract is \$10,150.81, plus accrued interest from June 1st, 2022. The amount owing represents more than seventy-five percent (75%) of the total purchase price, \$13,000.00. Pursuant to ORS 93.915(B), you are entitled to ninety (90) days to make payment on the unpaid balance to Seller. In accordance therewith, the Contract will be forfeited, and your interest terminated, as of April 25th, 2023, if all amounts due and payable are not paid in full.
5. **How to Cure Default:** The following must occur:
 - 5.1 **Make payment to Seller in the amount of \$3,040.00 for past due payments, plus interest accruing at a rate of 8% per annum from June 1st, 2022 until paid in full; and**
 - 5.2 **Make Payment to Seller, in the amount of \$168.05, representing taxes paid by Seller for the subject property for the Tax year 2021 and 2022.**
6. **Payments must be made at the office of Parks & Ratliff, P.C., 620 Main St, Klamath Falls, OR 97601.**

EXHIBIT A
PAGE 1
OF 2

7. Name and Address of Attorney for Seller:

Nathan J. Ratliff, OSB# 034269
Attorney at Law
620 Main Street
Klamath Falls, OR 97601
Phone: 541.882.6331 Fax: 541.883.1501
Email: nathan@parksandratliff.com

- 8. Date Notice Mailed:** This notice is being deposited in both first-class and certified mail with return receipt requested on January 18, 2023.
- 9. This is an attempt to collect a debt and any information received from you will be used for that purpose.**



Nathan J. Ratliff, OSB# 034269
Attorney for Seller

EXHIBIT A
PAGE 2
OF 2

6699 4207 0000 1074 6905

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

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

OFFICIAL USE

Certified Mail Fee
 \$

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

Postage
 \$

Total Postage and Fees
 \$

Sent To
 Columbia River Correctional Institution
 Street and Apt. No., or PO Box No.
 9111 NE Sutherland Ave
 City, State, ZIP+4[®]
 Portland, OR 97211

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

7021 2720 0003 1074 6905

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

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

OFFICIAL USE

Certified Mail Fee
 \$

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

Postage
 \$

Total Postage and Fees
 \$

Sent To
 Donna Adams
 Street and Apt. No., or PO Box No.
 755 NE Circle Blvd Space #50
 City, State, ZIP+4[®]
 Corvallis, OR 97330

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

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Donna Adams
 755 NE Circle Blvd Space #50
 Corvallis, OR 97330



9590 9402 7116 1251 3363 41

2. Article Number (Transfer from service label)

7021 2720 0003 1074 6905

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature** *[Signature]* **PORTLAND OR** ☐ Agent ☐ Address
- B. Received by (Printed Name)** *Donna Adams* **C. Date of Delivery** *1/23/23*
- D. Is delivery address different from item 1?** ☐ Yes ☒ No
 If YES, enter delivery address below:

- 3. Service Type**
- ☐ Adult Signature
 - ☐ Adult Signature Restricted Delivery
 - ☒ Certified Mail[®]
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery (over \$500)
 - ☐ Priority Mail Express[®]
 - ☐ Registered Mail[™]
 - ☐ Registered Mail Restricted Delivery
 - ☐ Signature Confirmation
 - ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Columbia River Correctional Institution
 c/o Daniel Adams
 SIP # 8473487
 9111 NE Sutherland Ave
 Portland, OR 97211



9590 9402 7116 1251 3363 34

2. Article Number (Transfer from service label)

7021 2720 0003 1074 6899

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature** *[Signature]* ☒ Agent ☐ Address
- B. Received by (Printed Name)** *MADEAN* **C. Date of Delivery** *01/23/23*
- D. Is delivery address different from item 1?** ☐ Yes ☒ No
 If YES, enter delivery address below:

- 3. Service Type**
- ☐ Adult Signature
 - ☐ Adult Signature Restricted Delivery
 - ☒ Certified Mail[®]
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery (over \$500)
 - ☐ Priority Mail Express[®]
 - ☐ Registered Mail[™]
 - ☐ Registered Mail Restricted Delivery
 - ☐ Signature Confirmation
 - ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

EXHIBIT B

PAGE 1
 OF 2

Certified mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic notification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

Important Reminders:

- You may purchase Certified Mail service with First-Class Mail™, First-Class Package Service™, or Priority Mail™ service.
- Certified Mail service is not available for international mail.
- Insurance coverage is not available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, Domestic Return Receipt; attach PS Form 3811 to your mailpiece;

- for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, request this USPS®-postmarked Certified Mail label from the retail associate.
- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).

- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

PS Form 3800, April 2015 (Reverse) PSN 7530-02-000-9047

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic notification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

Important Reminders:

- You may purchase Certified Mail service with First-Class Mail™, First-Class Package Service™, or Priority Mail™ service.
- Certified Mail service is not available for international mail.
- Insurance coverage is not available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, Domestic Return Receipt; attach PS Form 3811 to your mailpiece;


- for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, request this USPS®-postmarked Certified Mail label from the retail associate.
- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).

- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

PS Form 3800, April 2015 (Reverse) PSN 7530-02-000-9047

USPS TRACKING #



9590 9402 7116 1251 3363 41

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10


United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box®

Parris & Ratliff P.C.
ATTORNEYS AND COUNSELORS AT LAW
620 MAIN STREET
KLAMATH FALLS, OR 97601-6093

1-800-820

USPS TRACKING #



9590 9402 7116 1251 3363 34

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box®

Parris & Ratliff P.C.
ATTORNEYS AND COUNSELORS AT LAW
620 MAIN STREET
KLAMATH FALLS, OR 97601-6093

EXHIBIT B
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