

18010

Vol. 190 Page 14775

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF KLAMATH

COUNTY OF KLAMATH, STATE OF OREGON,)
a public corporation,)

Plaintiff,)

vs.)

Waggoner Harry R. ETAL,)
Defendant.)

NO. 417

REF ORDER NO. 90-166
DEED TO COUNTY

This deed, made this 24th day of July, 1990, between F. Jean Elzner, TAX COLLECTOR, Klamath County, State of Oregon, "Grantor", and KLAMATH COUNTY, a political subdivision of the State of Oregon, "Grantee",

WITNESSETH

WHEREAS, pursuant to a Judgment Decree and Order of the Circuit Court of the State of Oregon, in and for the County of Klamath, duly made and entered on the 23rd day of January, 1990, in a suit wherein the said Klamath County, Oregon, was Plaintiff and Waggoner, Harry R., et al were Defendants, the hereinafter-described real properties were, by said Judgment Decree and Order, sold subject to redemption to Klamath County, Oregon; and

WHEREAS, in pursuance of the laws of the State of Oregon and for and in consideration of the Judgment Decree and Order and Sale as aforesaid, I have this day executed this deed conveying to Klamath County, a political subdivision of the State of Oregon, the following described real properties, to wit:

See Exhibit "B" attached hereto;

Said described parcels of real property were formerly owned by the said defendants indicated, bearing the tax-foreclosure list number as indicated and for the amount of judgment as indicated, all re-


DEED TO COUNTY, Page 1 of 3 pages.

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spectively, for each parcel sold by said foreclosure to the said Klamath County, Oregon, and not redeemed as provided by law;

NOW, THEREFORE, I, F. JEAN ELZNER, Grantor as aforesaid, in consideration of the premises and by virtue of the statutes of the State of Oregon, in such cases made and provided, do hereby grant, bargain, sell, and convey unto Klamath County, Oregon, as grantee aforesaid, and its assigns forever, the parcels of real property hereinbefore described as fully and completely as Grantor can by virtue of the premises convey the same.

Given under my hand officially this 24th day of July, 1990.

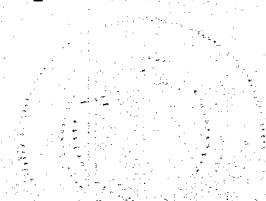
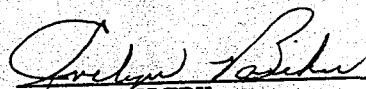

F. JEAN ELZNER, TAX COLLECTOR
KLAMATH COUNTY, OREGON

14777

STATE OF OREGON)
County of Klamath) ss.

On this, the 24th day of July, 1990, before me, as County Clerk in and for Klamath County, State of Oregon, personally came the within-named F. Jean Elzner, Tax Collector of said County and State, known to me to be the individual described in, and who, as such Tax Collector executed the above deed, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate first above written.



COUNTY CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR THE COUNTY OF KLAMATH

IN THE MATTER OF DECLARING A FORFEITURE OF
THE REDEMPTION PERIOD FOR REAL PROPERTY
KNOWN AS THE ELDORADO PLACE

) ORDER No. 90- 166
)
)

WHEREAS, the Board of County Commissioners determined that property commonly known as the ELDORADO PLACE located in the City of Klamath Falls appeared to have been abandoned and subject to waste; and

WHEREAS, a Notice of Hearing pursuant to KCC 180.200 was issued on January 24, 1990 setting a hearing on the possible forfeiture of redemption rights for 10 a.m. on March 27, 1990 and that copies of such notice were mailed both by first class mail and certified mail to the owners as required by ORS 312.122 (5)(a) and to lienholders as required by ORS 312.122 (5)(b); and

WHEREAS, on March 27, 1990, the Board of County Commissioners held a hearing and agreed to continue the matter to 1:30 p.m. on April 3, 1990 at the request of the attorney for some of the owners; and

WHEREAS, on April 3, 1990, the Board of County Commissioners held a hearing on the issue of whether a forfeiture should be ordered; and

WHEREAS, the evidence in that hearing showed that the property in question has not been occupied for more than six months and that the property has been subjected to substantial waste in the form of physical damage to the property caused by it being abandoned and by parties unknown breaking into said property and damaging it, thereby reducing the value of the foreclosed property; and

WHEREAS, the normal date of expiration of the redemption period is July 22, 1990 for parcels 1, 2 and 3 and January 23, 1992 for parcel 4;

NOW, THEREFORE, IT IS HEREBY ORDERED that the redemption period for the real property described in Exhibit "A" attached hereto is reduced to 30 days from the date of this Order and, if the taxes, interest and penalties due on said property are not paid by that date, the Tax Collector of Klamath County shall deed said property to Klamath County. A copy of this Order shall be served by First Class Mail on the Tax Collector of Klamath County within 2 days of the date of this Order.

PROVIDED, HOWEVER, that this Order shall be abated until July 22, 1990 if:

1. Within 15 days of the date of this Order, physical security is provided and maintained for the subject property, which

shall be either:


- a. 24 hour patrolling (This does not require a physical security guard to be on the property at all times but does require regular patrolling in such a manner as to monitor any intrusion on the subject property at anytime of the day), or
- b. Fencing of the entire property with occasional patrolling.

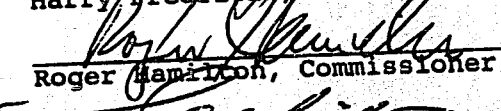
2. If physical security is not provided within 15 days of the date of this Order, the redemption period shall end after the end of 30 days from the date of this Order.

3. If physical security is provided, but not maintained, the Board may enter an Order, without a hearing, requiring redemption to be accomplished within 15 days of the date of that Order or the property will be deeded to the County.

Dated this 3rd day of ~~March~~^{APRIL}, 1990.

BOARD OF COUNTY COMMISSIONERS


Harry Fredricks, Chairman


Roger Hamilton, Commissioner


Ted Lindow, Commissioner

APPROVED AS TO FORM:


County Counsel

EXHIBIT "B"
LEGAL DESCRIPTION

PARCEL 4:

Tax Account Number: R3809 020CA 02300 000 00

A parcel of land situated in the Vacated Replat of Blocks 1,2,3,5,6 and 7, ELDORADO and in the Vacated portion of Block 9, ELDORADO, more particularly described as follows: Beginning at the point of intersection of the Northerly line of Dahlia Street and the Northeasterly extension of the Southeasterly line of Lot 7, Block 9, ELDORADO, thence North 51 degrees 43' 30" West, along the Northerly line of Dahlia Street, a distance of 211.87 feet to an iron pin marking the beginning of a curve; thence along the arc of a 20 foot radius curve to the right a distance of 49.56 feet to its point of tangency on the South line of Eldorado Blvd., said curve having a long chord which bears North 19 degrees 21' East a distance of 37.84 feet; thence South 89 degrees 34' 30" East along the South line of Eldorado Blvd. a distance of 574.23 feet to the beginning of a curve; thence along the arc of a curve to the right, said curve having an angle of 26 degrees 58' 19" and a radius of 677.34 feet, a distance of 318.86 feet to a point; thence on a line which bears South 38 degrees 16' 30" West, parallel with 200 feet Northwesterly at right angles to the Westerly line of Sloan Street, a distance of 668.38 feet to a point on the Southwesterly line of Block 9 of Eldorado; thence North 51 degrees 43' 30" West, along said line, a distance of 517.0 feet to the most Southerly corner of Lot 7, said Block 9; thence North 38 degrees 16' 30" East along the Southeasterly line of said Lot 7 and the extension thereof, 150.0 feet to the point of beginning. Together with portion of vacated Dahlia Street which inured thereto. (EXCEPT that portion of the above described property lying in the NW1/4 SE1/4 of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.)

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

Klamath County
on this 24th day of July A.D., 19 90
at 3:57 o'clock P.M. and duly recorded
in Vol. M90 of Deeds Page 14775
Evelyn Biehn
County Clerk

By Pauline M. Neelander

Deputy.

Fee, none

Case No. 87-1-FR, EXHIBIT "B", Page 1 of 1

*Ret. F. Jan. 1991
Tax Collector*