

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE CANCELLATION)
 OF A LAND SALE AGREEMENT WITH)
 ABC AFFILIATES)

ORDER 98-047

WHEREAS, ABC Affiliates entered into an agreement with Klamath County on July 5, 1995, for the purchase of real property described as:

Lot 4, Block 63, Klamath Falls Forest Estates Highway 66 Unit Plat No. 3, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, **SUBJECT TO** Covenants, conditions, reservations, easements, restrictions, rights, rights of way and all matters appearing of record, for the sum of \$8,480.00. A down payment of \$2,500.00 was made the day of the sale and the sum of \$1,734.20 was paid as the first annual installment due July 5, 1996; and

WHEREAS, ABC Affiliates failed to make the July 5, 1997, annual installment as required by Section 8 of the Land Sale Agreement, and is now in default under the terms of the Land Sale Agreement; and

WHEREAS, on August 12, 1997, a letter was mailed regular and certified to ABC Affiliates requesting the annual installment in the amount of \$1,680.61 be paid in full on the real property by September 12, 1997. The certified mail was returned to Klamath County Property Sales Department on August 28, 1997, as unclaimed; and

WHEREAS, a final notice was mailed regular and certified on September 30, 1997, requesting the remaining balance, interest and recording fee in the amount of \$5,063.80 be paid by October 10, 1997; and

WHEREAS, on October 15, 1997, ABC Affiliates request to make the July 5, 1997, annual installment by paying \$200.00 now, \$100.00 in two or three weeks and more at a later date was denied by the Board of County Commissioners; and

WHEREAS, no payment has been made and the Land Sale Agreement is now in **DEFAULT**.

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Land Sale Agreement between Klamath County and ABC Affiliates dated July 5, 1995, is hereby declared null and void. A certified copy of this Order shall be served as summons is served by the Sheriff to ABC Affiliates at their last known address being: 1115 East Main Street, Klamath Falls, OR 97601.

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NOTE: PURSUANT TO ORS 275.220 (2) WITHIN TWENTY (20) DAYS AFTER THE SERVICE OF THIS ORDER OF CANCELLATION UPON THE HOLDER, THE HOLDER OF THE CANCELED CONTRACT MAY APPEAL FROM SUCH ORDER TO THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE LAND IS LOCATED. THE APPEAL SHALL BE TRIED BY THE COURT AS AN ACTION NOT TRIABLE BY RIGHT TO A JURY. IF APPEAL IS NOT SO TAKEN OR IF IT RESULTS UPON TRIAL IN AN AFFIRMANCE OF THE ORDER OF CANCELLATION, SUCH ORDER SHALL BECOME ABSOLUTE AND THE REAL PROPERTY SO FORFEITED AGAIN MAY BE SOLD, WITHOUT NOTICE.

DONE and DATED this 29th day of October, 1997.

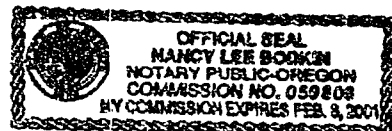
BOARD OF COUNTY COMMISSIONERS

[Signature]
Al Switzer, Chairman of the Board

[Signature]
William R. Garrard, County Commissioner

[Signature]
M. Steven West, County Commissioner

SUBSCRIBED and SWORN to before me this 29th day of October, 1997.



Nancy Lee Bookin
Notary Public of Oregon
My Commission Expires Feb 8, 2001

Until a change is requested
this Document & tax notices
shall be sent to: **KLAMATH COUNTY**

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County B.O.C. the 30th day
of October, A.D., 1997 at 3:23 o'clock P. M., and duly recorded in Vol. M97
of Deeds on Page 35920

FEE No Fee

Return: Commissioners Journal

By Bernetha G. Leisch, County Clerk
Kathleen Ross