

## BOARD OF COUNTY COMMISSIONERS

## KLAMATH COUNTY, OREGON

## AFFIDAVIT


I, William R. Garrard, Chairman of the Klamath County Board of Commissioners, being first duly sworn say:

1. By Order No. 98-095, dated February 18, 1998, which is attached hereto and incorporated herein, the Land Sale Agreement dated November 8, 1996, between Klamath County and William Bate Eckhardt, Jr. was cancelled and declared null and void in accordance with Section 8 of the Agreement for failure to pay the past due payment of \$1,697.18.

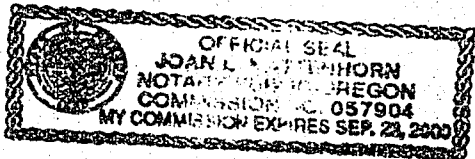
2. The Order was served in accordance with ORS 275.220 on March 16, 1998, and William Bate Eckhardt, Jr. was given twenty (20) days within which to appeal the Order.

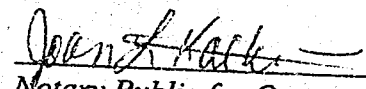
3. The time for William Bate Eckhardt, Jr. to respond has expired and no appeal has been received.

DONE and DATED this 20<sup>th</sup> day of April, 1998.

  
William R. Garrard, Chairman of the Board

SUBSCRIBED and sworn to before me this 20<sup>th</sup> day of April, 1998.



  
Notary Public for Oregon  
My Commission expires 9/23/2000

After recording return to:  
Property Sales Department

98 APR 24 P2:21



KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

13689

State of Oregon     )  
County of Klamath    )

Court Case No. 98-095  
Sheriff's Case No. 98-00560

Received for Service 02/23/98

I hereby certify that I received for service on  
ECKHARDT, WILLIAM B  
the within:

IN THE MATTER OF THE CANCELLATION OF A LAND SALE AGREE-  
MENT WITH WILLIAM BATE ECKHARDT JR.

ECKHARDT, WILLIAM B  
was unable to be located within Klamath County after due and  
diligent search and inquiry. I hereby return this process as  
Not Found, on 03/02/98, at 08:00 hours.

ACCORDING TO HIS NEIGHBOR, HE IS GONE FROM THE AREA AT THIS TIME. HE IS A LONG  
HAUL TRUCK DRIVER AND WILL BE BACK IN THE AREA SOMETIME LATER IN THE SPRING.

All search and service was made within Klamath County, State of  
Oregon.

Carl R. Burkhardt, Sheriff  
Klamath County, Oregon

By Rebecca Dailey  
DAILEY, REBECCA

Copy to:

KLAM.CO.PROPERTY SALES

KLAMATH FALLS

OR 97601



53393

BOARD OF COUNTY COMMISSIONERS

Vol. 1798

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13690

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE CANCELLATION  
OF A LAND SALE AGREEMENT WITH  
WILLIAM BATE ECKHARDT, JR.

ORDER 98-095

Certified Copy

WHEREAS, William Bate Eckhardt, Jr. entered into an agreement with Klamath County on November 8, 1996, for the purchase of real property described as:

Lots 1 & 2, Block 4, Chiloquin Heights To Chiloquin, Oregon, situated in Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, **SUBJECT TO** Covenants, conditions, reservations, easements, restrictions, rights, rights of way and all matters appearing of record, for the sum of \$2,000.00. A down payment of \$500.00 was made the day of the sale and no sum was paid on the first annual installment due November 8, 1997; and

WHEREAS, William Bate Eckhardt, Jr. failed to make the November 8, 1997, annual installment as required by Section 8 of the Land Sale Agreement; and

WHEREAS, on December 10, 1997, a letter was mailed regular and certified to William Bate Eckhardt, Jr. requesting the annual installment in the amount of \$457.94 be paid in full by January 14, 1998. A return receipt to Klamath County Property Sales Department was received on January 6, 1998, as unclaimed; and

WHEREAS, a final notice was mailed regular and certified on January 20, 1998, requesting the remaining balance, interest and recording fee in the amount of \$1,697.18 be paid by February 2, 1998; 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 William Bate Eckhardt, Jr. dated November 8, 1996, is hereby declared null and void. A certified copy of this Order shall be served as summons is served by the Sheriff to William Bate Eckhardt, Jr. at his last known address being: White Ash Road, Lot 7, P O Box 183, Bly, OR 97622.

**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 18<sup>th</sup> day of February, 1998.

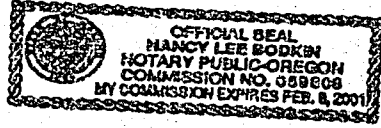
BOARD OF COUNTY COMMISSIONERS

William R. Goffard, Chairman of the Board

M. Stephen West, County Commissioner

Al Switzer, County Commissioner

SUBSCRIBED and SWORN to before me this 18<sup>th</sup> day of February, 1998.



Nancy Lee Bodkin  
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**

RECEIVED  
KLAMATH COUNTY  
SHERIFF'S OFFICE  
98 FEB 23 AM 8:11

13691

5376

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County B.O.C. the 19th day  
of February A.D., 19 98 at 1:20 o'clock P. M., and duly recorded in Vol. M98  
of Deeds on Page 5375

Return: Commissioners Journal By Bernetha G. Letsch, County Clerk  
Kathleen Ross

FEE

No Fee

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County B.O.C. the 24th day  
of April A.D., 19 98 at 2:21 o'clock P. M., and duly recorded in Vol. M98  
of Deeds on Page 13688

By Bernetha G. Letsch, County Clerk  
Kathleen Ross

FEE

No Fee