

KLAMATH COUNTY, OREGON

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

ORDER 98-093

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, Chilquin Heights To Chilquin, 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 275.226 (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 18th day of February, 1998.

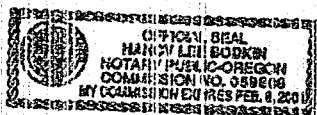
BOARD OF COUNTY COMMISSIONERS

William R. Goffard, Chairman of the Board

M. Stephen Kess, County Commissioner

Atty. Gen. County Commissioner

SUBSCRIBED and SWORN to before me this 18th day of February, 1998.



Nancy L. 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. M93,
of Deeds on Page 5375.

FEE

No Fee

Return: Commissioners Journal

By Bernetha G. Letsch, County Clerk
Kathleen Rosen

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.

FEE

No Fee

By Bernetha G. Letsch, County Clerk
Kathleen Rosen