

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE CANCELLATION)
 OF A LAND SALE AGREEMENT WITH)
 BONNIE L. SCOGGIN, L. MISTY EDSINGA)
 AND GLENN E. LEONARD, WITH RIGHTS)
 OF SURVIVORSHIP)

ORDER 99- 038

WHEREAS, Bonnie L. Scoggin, L. Misty Edsinga and Glenn E. Leonard, entered into an agreement on May 29, 1997, for the purchase of real property described as:

Lot 5, Block 46, Tract 1184 - Oregon Shores Unit 2 - 1st Addition situated in Section 18, Township 35 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 \$6,250.00. A down payment of \$1,562.50 was made the day of the sale. The first annual installment in the amount of \$1,359.38 was due on May 29, 1998; and

WHEREAS, Bonnie L. Scoggin, L. Misty Edsinga and Glenn E. Leonard, failed to make the May 29, 1998, annual installment, pay the 1997/98 taxes and keep the real property free from all public municipal and statutory liens as required by Section 8 of the Land Sale Agreement; and

WHEREAS, on June 24, 1998, a letter was mailed regular and certified to Bonnie L. Scoggin, L. Misty Edsinga and Glenn E. Leonard, requesting the annual installment in the amount of \$1,428.73 plus the 1997/98 taxes be paid in full by July 27, 1998. On June 30, 1998, a letter was mailed regular and certified to Bonnie L. Scoggin, L. Misty Edsinga and Glenn E. Leonard, requesting the judgment entered against L. Misty Edsinga in the amount of \$1,099.72 be paid in full by August 3, 1998. Return receipts to Klamath County Property Sales Department were received on June 26th, July 6th & unclaimed on Glenn E. Leonard; and

WHEREAS, the Board of County Commissioners granted L. Misty Edsinga an extension to make the annual installment, 1997/98 taxes and judgment plus interest by August 10, 1998. The Board granted an additional extension to L. Misty Edsinga to make the annual installment, 1997/98 taxes and judgment plus interest by September 1, 1998; and

WHEREAS, the extensions have now expired, no payment was received and the Land Sale Agreement is now in **DEFAULT**.

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Land Sale Agreement between Klamath County and Bonnie L. Scoggin, L. Misty Edsinga and Glenn E. Leonard dated May 29, 1997, is hereby declared null and void. A certified copy of the Order shall be served as summons is served by the Sheriff to L. Misty Edsinga at her last known address being: 220 Chilquin Drive (P O Box 1229), Chilquin, OR 97624. A certified copy of the Order shall be mailed by registered

33952

mail or by certified mail with return receipts to Bonnie L. Scoggin and Glenn E. Leonard, at their last known addresses being: Bonnie L. Scoggin at 7406 Redwood Drive, Crystal Lake, IL 60014 and Glenn E. Leonard at P O Box 891, Chiloquin, OR 97624.

NOTE: PURSUANT TO ORS 275.220 (2) WITHIN TWENTY (20) DAYS AFTER THE SERVICE OF THE 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 15th day of September, 1998.

BOARD OF COUNTY COMMISSIONERS

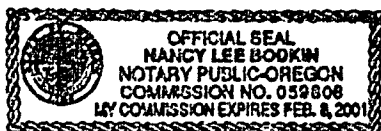

William B. Garyard, Chairman of the Board

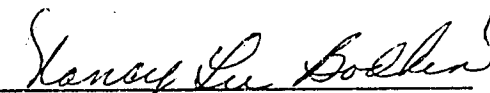

M. Steven West, County Commissioner

Out of Office Today

Al Switzer, County Commissioner

SUBSCRIBED and SWORN to before me this 15th day of September, 1998.




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**

33953

Mr. Francis Roberts & Commissioners:

Re: Lot 5, Block 46, Tract 1184, Oregon Shores, Unit 2.

Dear Sirs & Madams:

Due to the fact that my husband and I are going through a dissolution of marriage, I would ask that you grant me an extension of a few days on the payment of the above mentioned property.

I have funds coming from a sale of property in Idaho and have spoken to Custer County Title Co.. You may call Patsy at #208-879-4427 for verification.

These funds should be mailed on next Tuesday, to my Lawyer, Mr. Gary Hedland, 883-3456. for verification.

You see, my Mother, Bonnie Scoggin, put much of her retirement funds into this project, the down payment, septic, sewer, water, electric & phone to the foundation. Due to the dissolution, the property is for sale.

Please, understand that my Mother, Bonnie Scoggin, has put so much into the property that I am asking that you give me just a few more days to catch up with the funds.

I'm requesting until Aug. 10th, my trial is set for Aug. 5th. By that time I should know to whom what is going to be awarded

and what either party will be required to pay, either I will or at that time it will be turned back to to you, County.

I do not want my Mother to loose any more than she already has.

Please give this request your most serious consideration, your help will be greatly appreciated.

Thank you,
L. Misty EDSinga

L. M. Edsinga
783-3864

cc: Gary Hedland.

RECEIVED
JUL 31 1998
PUBLIC WORKS DEPT.

Gary L. Hedlund

Attorney at Law

303 Pine Street

Klamath Falls, Oregon 97601

(541) 883-3456

Fax (541) 883-3457

33954

August 19, 1998

SENT BY FAX

Mr. Francis Roberts
Klamath County Public Works Department
3735 Shasta Way
Klamath Falls, OR 97603

Re: Leonard/Agency Lake Property

Dear Francis:

This letter is to confirm our telephone conversation of August 18, 1998. I understand from our conversation that my client, L. Misty Edsinga Leonard was granted an extension on the contract with Klamath County for the above mentioned property to being the contract current and pay an outstanding judgment lien against the property to on or about August 17, 1998.

On behalf of Mrs. Edsinga-Leonard, I would request that an additional extension be granted to September 1, 1998. As we have discussed, Mrs. Leonard is involved in a dissolution proceeding pending in Klamath County Circuit Court, Case No. 98-00681 CV. A settlement has been reached in that case between the parties and has been submitted on the record. I have prepared a decree and submitted it to Mr. Leonard's attorney who has requested some minor modifications which I have now completed. I expect to have a decree in the next seven days.

Once the decree is entered, I will be able to deliver to Mrs. Leonard funds that I hold in trust which are sufficient to reinstate the contract with the county and pay the encumbrance which has gone of record.

Upon receipt of this letter, I understand that you will discuss this request with the county commissioner's. Thank you for your cooperation and your attention to this matter.

Sincerely,


GARY L. HEDLUND

RECEIVED
AUG 24 1998
PUBLIC WORKS DEPT.

GLH:dd

cc Misty Leonard

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County BOC the 15th day
of September A.D., 19 98 at 2:28 o'clock P. M., and duly recorded in Vol. M98,
of Deeds on Page 33951.

Return: Commissioners Journal

Bernetha G. Letsch, County Clerk

FEE No Fee

By Kathleen Rose