

BOARD OF COUNTY COMMISSIONERS**KLAMATH COUNTY, OREGON****AFFIDAVIT**


I, Al Switzer, Chairman of the Klamath County Board of Commissioners, being first duly sworn say:

1. By Order No. 2000-082, dated February 8, 2000, which is attached hereto and incorporated herein, the Land Sale Agreement dated July 15, 1996, between Klamath County and The Cornelius Family Trust, Frank A. Cornelius and Diana Cornelius, Trustors and Trustees was cancelled and declared null and void in accordance with Section 2 of this Agreement for failure to pay the payment of \$1,363.21.

2. The Order was served in accordance with ORS 275.220 on February 18, 2000. The Cornelius' were given twenty (20) days within which to appeal the Order.

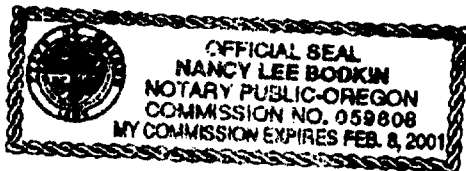
3. The time to respond has expired and no appeal has been received.

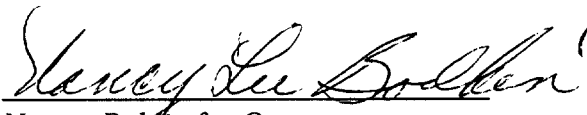
DONE and DATED this 17th day of March, 2000.



Al Switzer, Chairman of the Board

SUBSCRIBED and sworn to before me this 17th day of March, 2000.





Notary Public for Oregon
My Commission expires Feb 8, 2001

After recording return to:
Property Sales Dept.

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon)
County of Klamath)

Court Case No. 2000-082
Sheriff's Case No. 00-00458

Received for Service 02/11/00

MAR 15 2000
KLAMATH CO. SHERIFF'S OFFICE

I hereby certify that I received for service on
CORNELIUS, FRANK A and Diana Cornelius
the within:

CANCELLATION OF LAND SALE AGREEMENT NOTICE

CORNELIUS, FRANK A & CORNELIUS, DIANA

WAS SERVED BY LEAVING A TRUE COPY OF THE ABOVE MENTIONED PROCESS WITH DIANA
CORNELIUS AT 2331 RADCLIFFE, KLAMATH FALLS, OR, ON 02/18/00 AT 07:45 HOURS.

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

Carl R. Burkhardt, Sheriff
Klamath County, Oregon

By

for- Rebecca Daley
BAKER, LARRY

Copy to:

KLAM.CO.PROPERTY SALES

KLAMATH FALLS

OR 97601

**BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON**

*In the Matter of the Cancellation of a Land)
Sale Agreement with The Cornelius Family Trust,)
Frank A. Cornelius and Diana Cornelius, Trustors)
and Trustees)*

Order No. - 2000-082

WHEREAS, The Cornelius Family Trust, Frank A. Cornelius and Diana Cornelius, Trustors and Trustees entered into an agreement with Klamath County on July 15, 1996, for the purchase of real property described as:

Lot 40, Block 108, Klamath Falls Forest Estates Highway 66 Unit Plat No. 4, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

WHEREAS, the property was purchased for the sum of \$2,600.00 and a down payment of \$650.00 was made the day of the sale. The sum of \$565.50 was paid as the first annual installment due July 15, 1997, and the sum of \$530.40 was paid as the second annual installment due July 15, 1998; and

WHEREAS, Frank A. and Diana Cornelius failed to make the July 15, 1999, annual installment as required by Section 2 of the Land Sale Agreement. The installment is now in default under the terms of the Land Sale Agreement; and

WHEREAS, on August 4, 1999, a letter was mailed regular and certified to Frank A. and Diana Cornelius requesting the annual installment in the amount of \$512.00 be paid in full by September 7, 1999. A return receipt to Klamath County Property Sales Department was received on August 5, 1999; and

WHEREAS, a final notice was mailed regular and certified on January 26, 2000, requesting the remaining balance, interest and recording fee in the amount of \$1,363.21 be paid by January 31, 2000; 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 The Cornelius Family Trust, Frank A. Cornelius and Diana Cornelius, Trustors and Trustees dated July 15, 1996, is hereby declared null and void. A certified copy of this Order shall be served as summons is served by the Sheriff to The Cornelius Family Trust, Frank A. Cornelius and Diana Cornelius, Trustors and Trustees at their last known address being: 2331 Radcliffe Ave, Klamath Falls, OR 97601.

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 8th day of February, 2000.

BOARD OF COUNTY COMMISSIONERS

Al Switzer
Al Switzer, Chairman of the Board

William R. Garrard
William R. Garrard, County Commissioner

Out of Office Today

M. Steven West, County Commissioner

SUBSCRIBED and SWORN to before me this 8th day of February, 2000.



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
Recorded 2/09/00, at 2:39 p.m.
In Vol. M00 Page 4239
Linda Smith,
County Clerk Fee \$ NC