

State of Oregon, County of Klamath  
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Linda Smith, County Clerk  
Fee \$ NC # of Pgs 2

**BOARD OF COUNTY COMMISSIONERS**

**KLAMATH COUNTY, OREGON**

*In the Matter of the Cancellation of a Land                     )  
Sale Agreement with Edward P. O'Neill                     )*      *Order 2005 - 006*

**WHEREAS**, Edward P. O'Neill entered into an agreement with Klamath County on May 9, 2003, for the purchase of real property described as:

*Lot 6, Block 63, Fifth Addition To Nimrod River Park, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, and the W½ NE¼ NE¼ SE¼ NE¼ of Section 1, Township 36 South, Range 11 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.

**WHEREAS**, the real property was purchased for the sum of \$2,100.00 and a down payment of \$525.00 was made on May 9, 2003; and

**WHEREAS**, Edward P. O'Neill failed to make the May 9, 2004, annual installment and 2003 taxes as required by Sections 2, 3, 8 and 9 of the Land Sale Agreement. The installment and taxes are now in default under the terms of the Land Sale Agreement; and

**WHEREAS**, on May 26, 2004, a letter was mailed regular and certified to Edward P. O'Neill requesting the May 9, 2004, annual installment in the amount of \$703.22 and the 2003 taxes in the amount of \$35.98 be paid in full on the real property by June 25, 2004, or the county would declare the entire balance due and payable. A return receipt to Klamath County Property Sales Department was received on June 17, 2004; and

**WHEREAS**, a final notice was mailed regular and certified on June 29, 2004, requesting the remaining balance, interest and recording fee in the amount of \$1,780.26 and the 2003 taxes in the amount of \$35.98 be paid by July 9, 2004; and

**WHEREAS**, no payments have 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 Edward P. O'Neill dated May 9, 2003, is hereby cancelled. A certified copy


of this Order shall be mailed certified mail to Edward P. O'Neill at his last known mailing address being: P O Box 8173, Bend, OR 97708.

**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 27th day of July, 2005.

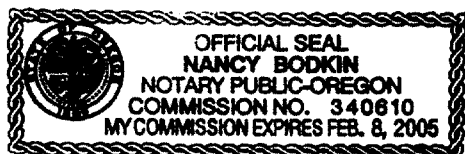
**BOARD OF COUNTY COMMISSIONERS**

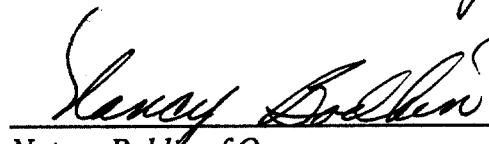
  
John Elliott, Chairman of the Board

  
Al Switzer, County Commissioner

  
M. Steven West, County Commissioner

SUBSCRIBED and SWORN to before me this 27th day of July, 2005.



  
Notary Public of Oregon  
My Commission Expires Feb 8, 2005

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