

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


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

1. By Order No. 2006-013, dated September 20, 2005, which is attached hereto and incorporated herein, the Land Sale Agreement and Memorandum of Land Sale Agreement (Volume M04, Page 32073) dated May 13, 2004, between Klamath County and Michael D. Alarcon was cancelled and declared null and void in accordance with Section 2, 8 and 9 of this Agreement for failure to pay the balance remaining on the agreement in the amount of \$20,338.81 and the taxes in the amount of \$469.41.

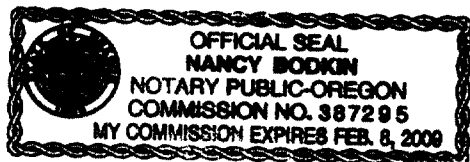
2. The Order was served in accordance with ORS 275.220 incorporated herein, and Michael D. Alarcon was given twenty (20) days within which to appeal the Order.

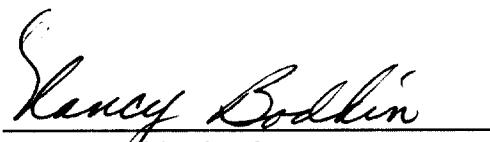
3. The time for Michael D. Alarcon to respond has expired and no appeal has been received.

DONE and DATED this 21st day of November, 2005.


William A. Switzer, Chairman of the Board

SUBSCRIBED and sworn to before me this 21st day of November, 2005.




Nancy Bodkin
Notary Public for Oregon
My Commission expires Feb 8, 2009

N/C Rt Klamath County property Sales.

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon)
County of Klamath)

Court Case No. 2006013
Sheriff's Case No. 05-03198

Received for Service 09/26/05

I hereby certify that I received for service on
ALARCON, MICHAEL DAVID
the within:

IN THE MATTER OF THE CANCELLATION OF A LAND SALE
AGREEMENT WITH MICHAEL D ALARCON

ALARCON, MICHAEL DAVID

was unable to be located within Klamath County after due and
diligent search and inquiry. I hereby return this process as
Not Found, on 10/05/05, at 07:00 hours.

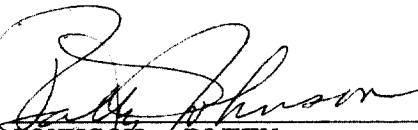
PER OCCUPANT AT POE VALLEY RD ADDRESS- ABOVE SUBJECT IS SUPPOSE TO HAVE MOVED
OUT OF THE STATE.

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

Timothy M. Evinger, Sheriff

Klamath County, Oregon

By


JOHNSON, PATTY

Copy to:

KLAM.CO.PROPERTY SALES
305 MAIN
KLAMATH FALLS

OR 97601

RECEIVED
OCT 06 2005
T K. C. PROPERTY SALES

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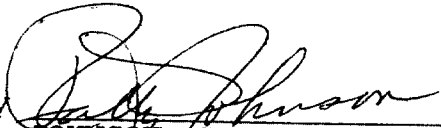
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OR 97601

RECOPY

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

**In the Matter of the Cancellation of a Land)
Sale Agreement with Michael D. Alarcon)**

Order No. 2006 - 013

WHEREAS, Michael D. Alarcon entered into an agreement with Klamath County on May 13, 2004, for the purchase of real property described as:

The Easterly 24 feet of Lot 36 and the Westerly 20 feet of Lot 35, Roselawn, subdivision of Block 70, Buena Vista Addition To Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Together with that portion of vacated alley which inured thereto.

Subject to covenants, conditions, reservations, easements, restrictions, rights, rights of way and all matters appearing of record.

WHEREAS, the property was purchased for the sum of \$24,000.00 and a down payment of \$6,000.00 was made the day of the sale with the sum of \$7,800.00 to be paid as the first annual installment due May 13, 2005; and

WHEREAS, Michael D. Alarcon failed to make the May 13, 2005, annual installment as required by Section 8 of the Land Sale Agreement. The installment and taxes are now in default under the terms of the Land Sale Agreement; and

WHEREAS, on June 30, 2005, a letter was mailed regular and certified to Michael D. Alarcon requesting the annual installment in the amount of \$8,184.66 and taxes in the amount of \$463.70 be paid in full by July 29, 2005, in order to avoid cancelling the Land Sale Agreement. On July 19, 2005, the certified mail was returned "unclaimed" to Klamath County Property Sales Department; and

WHEREAS, on August 17, 2005, a final notice was mailed regular and certified requesting the remaining balance, interest and recording fee in the amount of \$20,338.81 and taxes in the amount of \$469.41 be paid by August 25, 2005, in order to avoid cancelling the Land Sale Agreement. On September 7, 2005, the certified mail was returned "unclaimed" to Klamath County Property Sales Department; and

WHEREAS, no payment has been made and the Land Sale Agreement is now in Default

Return: Comm Jnl

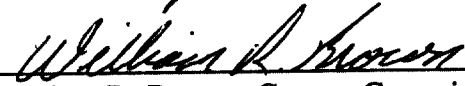
NOW, THEREFORE, IT IS HEREBY ORDERED, that the Land Sale Agreement between Klamath County and Michael D. Alarcon dated May 13, 2004, is hereby cancelled. A certified copy of this Order shall be served as summons is served by the Sheriff to Michael D. Alarcon at his last known address being: 7207 Hager Way, Klamath Falls, OR 97603.

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 20th day of September, 2005.

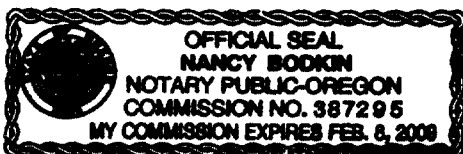
BOARD OF COUNTY COMMISSIONERS

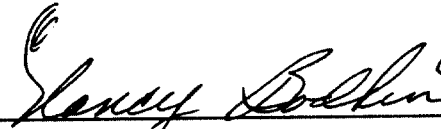

William A. Switzer, Chairman of the Board


William R. Brown, County Commissioner


John W. Elliott, County Commissioner

SUBSCRIBED and SWORN to before me this 20th day of September, 2005.




Nancy Bodkin
Notary Public of Oregon
My Commission Expires Feb 8, 2009

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