

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

**In the Matter of Rescinding Order No. 2006-076,)
Cancellation of a Land Sale Agreement with)
Joseph M. London)**

Order No. 2006 - 094

WHEREAS, Joseph M. London entered into a Land Sale Agreement with Klamath County on June 9, 2005, for the purchase of real property described as:

All that portion of Lot 6, Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point bearing N 47° 12' W 700 feet and N 30° 30' E, 10.2 feet from the intersection of the Westerly line of Lalakes Avenue with the Northerly line of Chocktoot Street in the Townsite of West Chiloquin; thence N 47° 12' W parallel and distant 10 feet from the county road, 60 feet; thence N 30° 30' East parallel to Lalakes Avenue, 120 feet; thence S 47° 12' E, 60 feet; thence S 30° 30' W, 120 feet to the point of beginning.

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

WHEREAS, the real property was purchased for the sum of \$10,500.0 with a down payment of \$2,625.00 made the day of the sale; the first annual installment in the amount of \$2,362.50 was to be made on June 9, 2006; and

WHEREAS, Joseph M. London failed to provide a standard policy of fire insurance with extended coverage endorsements against fire and other casualties as required by Section 5 (d) of the Land Sale Agreement; and

WHEREAS, a final notice was mailed regular and certified requesting the policy be submitted by April 14, 2006. If no policy was received by April 14, 2006, a cashier's check in the amount of \$8,577.79 would need to reach Klamath County Property Sales Department by April 21, 2006, in order to avoid cancelling the Land Sale Agreement; and

WHEREAS, on May 2, 2006, the Board of County Commissioners ordered and declared the Land Sale Agreement between Klamath County and Joseph M. London cancelled having the certified copy of the Order served as a summons is served by the Sheriff upon Joseph M. London; and

WHEREAS, on May 23, 2006, Joseph M. London went to the Klamath County Sheriff's office and was given the certified copy of the Order cancelling the Land Sale Agreement. Joseph M. London left leaving the certified copy at the counter. See attached copy of documentation from the Sheriff's office; and

WHEREAS, Joseph M. London came to the Klamath County Property Sales Department desiring to pay the Land Sale Agreement in full.

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Board of County Commissioners will rescind Order No. 2006-076 which will take affect if a cashier's check is received by 5 p.m. on June 21, 2006, by Joseph M. London in the amount of \$8,709.40. If a cashier's check is received by the date given, the Board of County Commissioners will convey by a Quitclaim Deed the above real property situated in County of Klamath, State of Oregon to Joseph M. London. If a cashier's check is not received by the date given, Joseph M. London will have twenty (20) days to appeal to the circuit court for Klamath County. The circuit court shall try the appeal as an action not triable by right to a jury. If an appeal is not so taken or if it results upon trial in an affirmance of the order of cancellation, the order becomes absolute and the real property forfeited may be sold without notice.

DONE and DATED this 20th day of June, 2006

BOARD OF COUNTY COMMISSIONERS

William R. Brown
William R. Brown, Chairman of the Board

Approved Denied

John W. Elliott
John W. Elliott, County Commissioner

Approved Denied

William A. Switzer
William A. Switzer, County Commissioner

Approved Denied

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon)
County of Klamath)

Court Case No. M06-08655
Sheriff's Case No. 06-01647

Received for Service 05/04/06

I hereby certify that I received for service on
LONDON, JOSEPH M
the within:

ORDER
IN THE MATTER OF THE CANCELLATION OF A LAND
SALE AGREEMENT WITH JOSEPH M LONDON

RECEIVED
MAY 24 2006

SALES

ON 05/23/2006 AT 1009 HOURS, JOSEPH LONDON CAME INTO THE KLAMATH COUNTY
SHERIFF'S OFFICE. HE WAS GIVEN THE MENTIONED PAPER. HE READ OVER THE PAPER
AT THAT TIME I LEFT TO GO ANSWER THE TELEPHONE. WHEN I WAS DONE WITH THE
TELEPHONE CALL, JOSEPH LONDON HAD LEFT THE SHERIFF'S OFFICE AND LEFT THE PAPER
THAT HE HAD BEEN GIVEN BEHIND.

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

Timothy M. Evinger, Sheriff
Klamath County, Oregon

RECEIVED
MAY 24 2006
K. C. PROPERTY SALES

BY 
HEINL, JENNIFER

Copy to:

KLAM.CO.PROPERTY SALES
305 MAIN
KLAMATH FALLS

OR 97601