



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

IN THE MATTER OF TWO LAND SALE) ORDER NO. 2007 - 020
AGREEMENTS BETWEEN KLAMATH)
COUNTY AND CHARLES E. BENGE)
DECLARED CANCELLED BY KLAMATH)
COUNTY, OREGON.)

WHEREAS, Charles E. Bengé entered into two agreements with Klamath County on June 9, 2005, for the purchase of real properties described as:

*Lot 26, Block 27 and Lot 50, Block 29, Tract 1113 – Oregon Shores –
Unit 2, according to the official plat thereof on file in the office of the
County Clerk of Klamath County, Oregon.*

WHEREAS, the real properties were purchased for the sums of \$6,100.00 and \$6,000.00 with down payments of \$1,525.00 and \$1,500.00 made the day of the sale; the first annual installments in the amounts of \$1,372.50 and \$1,350.00 were to be made on June 9, 2006; and

WHEREAS, Charles E. Bengé failed to make the June 9, 2006, annual installments as required by Section 8 of the Land Sale Agreements, and are now in default under the terms of the Land Sale Agreements; and

WHEREAS, on June 22, 2006, a letter and Notices of Statements of Installments were mailed regular and certified mail to Charles E. Bengé requesting the full amount of \$2,834.39 be paid on the real properties by July 24, 2006. On July 11, 2006, the certified mail was returned “unclaimed” to Klamath County Property Sales Department; and

WHEREAS, on August 25, 2006, a final letter and Notices of Statements of Installments were mailed regular and certified mail requesting the remaining balances, interests and recording fees in the amount of \$10,245.79 be paid by September 6, 2006, in order to avoid cancelling the Land Sale Agreements. On September 13, 2006, the certified mail was returned “unclaimed” to Klamath County Property Sales; and

WHEREAS, no payment has been received; and the Land Sale Agreements are now in Default.

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Land Sale Agreements between Klamath County and Charles E. Bengé dated June 9, 2005, are hereby declared cancelled. A certified copy of the Order shall be served by mailing it certified mail with return receipt to Charles E. Bengé at his last known address being: 549 Brookside Ln, Central Point, OR 97502.

NOTE: Pursuant to ORS 275.220 (2) **within twenty days** after the service of the order of cancellation upon the holder, the holder of the canceled land sale contract may appeal from such order to the circuit court for the county in which the land is located. The circuit court shall try the appeal as an action not triable by right to a jury. If appeal is not 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 26th day of September, 2006.

BOARD OF COUNTY COMMISSIONERS



William R. Brown, Chairman of the Board

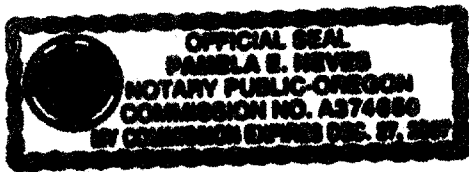


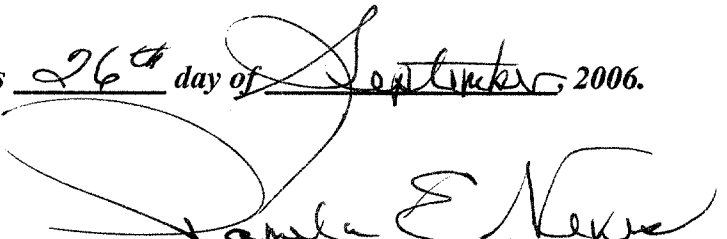
John W. Elliott, County Commissioner



William A. Switzer, County Commissioner

SUBSCRIBED and SWORN to before me this 26th day of September, 2006.




Notary Public of Oregon
My Commission Expires 12/27/07

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

Klamath County
% Klamath County Property Sales Dept
305 Main St, Rm 238
Klamath Falls, OR 97601