

2006-019434

Klamath County, Oregon



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Fee: NO FEE

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

**IN THE MATTER OF TWO LAND SALE)
AGREEMENTS BETWEEN KLAMATH)
COUNTY AND RIO CREEK CANYON RANCH)
DECLARED CANCELLED BY KLAMATH)
COUNTY, OREGON.)**

ORDER NO. 2007 - 021

WHEREAS, Rio Creek Canyon Ranch entered into two agreements with Klamath County on May 9, 2003, for the purchase of real properties described as:

Lot 3, Block 11, Sprague River Valley Acres, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

And

The S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 36 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

WHEREAS, the real properties were purchased for the sums of \$2,100.00 and \$8,800.00 with down payments of \$604.00 and \$2,279.00 made the day of the sale; the 2004 and 2005 annual installments in the amounts of \$704.75, \$2,948.37, \$609.24 and \$2,721.22 were made; the 2006 last annual installments in the amount of \$500.61 and \$2,302.93 were to be made on May 9, 2006; and

WHEREAS, Rio Creek Canyon Ranch failed to make the May 9, 2006, last 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 \$2,856.90 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 \$2,887.79 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.

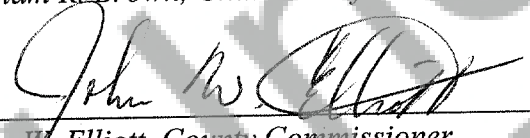
NOW, THEREFORE, IT IS HEREBY ORDERED, that the Land Sale Agreements between Klamath County and Rio Creek Canyon Ranch dated May 9, 2003, are hereby declared cancelled. A certified copy of the Order shall be served by mailing it certified mail with return receipt to Rio Creek Canyon Ranch at the last 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.

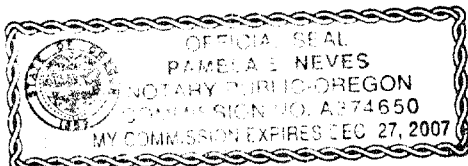
BOARD OF COUNTY COMMISSIONERS

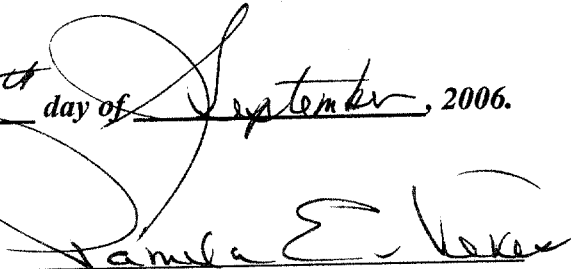

William R. Brown, Chairman of the Board


John W. Elliott, County Commissioner


William A. Synizer, 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