



BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

AFFIDAVIT OF DEFAULT OF LAND SALE AGREEMENTS


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

1. By Order No. 2008-042, dated November 20, 2007, and recorded on November 27, 2007, in Volume and Page 2007-019946 which is attached hereto and incorporated herein, the Land Sale Agreements dated June 9, 2005, were recorded on June 23, 2005, in deed Volume M05, Page 47172 and deed Volume M05, Page 47178, between Klamath County and Tami L. Cole were cancelled and declared null and void in accordance with Sections 2, 3 and 8 of the Agreements for failure to pay the past due payments and taxes.

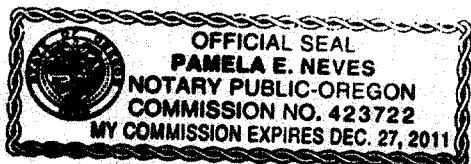
2. The Order was served in accordance with ORS 275.220 (2) giving twenty (20) days within which to appeal the Order.

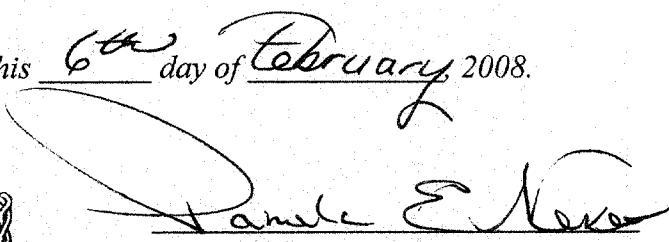
3. The time for Tami L. Cole to respond has expired and no appeal has been received.

DONE and DATED this 6th day of February, 2008.


Chairman of the Board

SUBSCRIBED and sworn to before me this 6th day of February, 2008.




Notary Public for Oregon

My Commission expires 12/27/11



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

*In the matter of two Land Sale Agreements between)
Klamath County and Tami L. Cole Declared Cancelled)*

Order 2008 042

WHEREAS, Tami L. Cole entered into two agreements with Klamath County on June 9, 2005, for the purchase of real properties described as:

Lot 15, Block 1, Lone Pine On The Sprague and Lot 33, Block 4, Klamath Forest Estates, according to the official plats thereof on file in the office of the County Clerk of Klamath County, Oregon.

WHEREAS, the real properties were purchased for the sums of \$5,000.00 and \$6,600.00 with down payments of \$1,250.00 and \$1,650.00 made the day of the sale; the first and second annual installments due June 9, 2006 and June 9, 2007, plus the 2006 fiscal year taxes have not been made; and

WHEREAS, Tami L. Cole has failed to make the annual installments and the 2006 fiscal year taxes as required by Sections 2, 3 and 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 were mailed regular and certified mail to Tami L. Cole requesting the June 9, 2006, annual installments and at that time the 2005 fiscal year taxes in the full amounts of \$2,717.27 and \$83.85 be paid on the real properties by July 24, 2006, in order to avoid cancelling your Land Sale Agreements dated June 9, 2005. A return receipt to Klamath County Property Sales Department was received on July 10, 2006; and

WHEREAS, on September 8, 2006, a Notice was mailed regular and certified mail granting an extension to make the annual installments by December 29, 2006, if the 2005 fiscal year taxes were paid in full by September 15, 2006. The regular mail received and the certified mail returned "unclaimed" to Klamath County Property Sales Department; and

WHEREAS, on January 10, 2007, a notice was mailed regular and certified mail regarding the deadline not met to make the June 9, 2006, annual installments. A return receipt to Klamath County Property Sales Department was received on January 19, 2007; and

WHEREAS, on July 31, 2007, a notice and Notices of Statements were mailed regular and certified mail requesting the June 9, 2006 and June 9, 2007, annual installments plus the 2006 fiscal year taxes in the full amounts of \$5,379.70 and \$84.63 be paid on the real properties by August 15, 2007. If full payments were not received by the deadline given, the remaining balances, interests and recording fees in the amount of \$10,653.61 and \$85.69 for the 2006 fiscal year taxes be paid by August 20, 2007, in order to avoid cancelling your Land Sale Agreements dated June 9, 2005; and

WHEREAS, no payments have been made and the Land Sale Agreements are now in

Default.


NOW, THEREFORE, IT IS HEREBY DECLARED AND ORDERED, that the two Land Sale Agreements between Klamath County and Tami L. Cole dated June 9, 2005, are hereby declared cancelled. A certified copy of this Order shall be served as a summons is served by the sheriff upon the holder of the canceled land sale contracts if found within the county. If holder is not found within the county, a certified copy of the Order shall be served by mailing it to the holder by registered mail or by certified mail with return receipt at the last known address of the holder being: P O Box 1615, Klamath Falls, OR 97601.

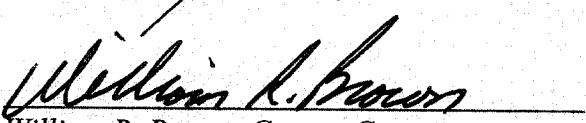
NOTE: Pursuant to ORS 275.220 (2) within 20 days after the service of this order of cancellation upon the holder, the holder of the canceled land sale contracts may appeal from the order to the circuit court for the county in which the lands are located. The circuit court shall try the appeal as an action 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 properties forfeited may be sold without notice.

DONE and DATED this 20th day of November, 2007.

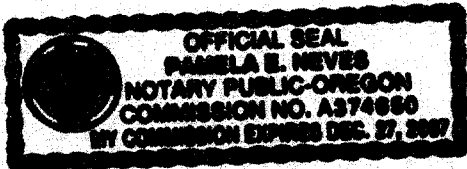
BOARD OF COUNTY COMMISSIONERS


John W. Elliott, Chairman of the Board


William A. Switzer, County Commissioner


William R. Brown, County Commissioner

SUBSCRIBED and SWORN to before me this 20th day of November, 2007.



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 SHERIFF'S OFFICE
RETURN OF SERVICE

State of Oregon
County of Klamath

Court Case No.
Sheriff's Case No. **A07003805**

Received for Service **12/3/2007**

I hereby certify that I received for service on
TAMI LYNN COLE
the within:
IN THE MATTER OF LAND SALE AGREEMENTS
BETWEEN KLAMATH COUNTY AND TAMI L COLE
DECLARED CANCELLED

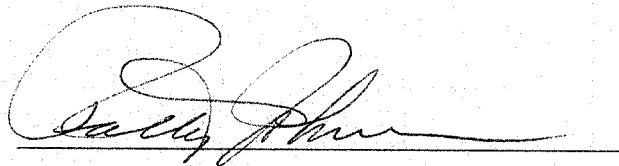
TAMI LYNN COLE

was unable to be located within Klamath County after due and
diligent search and inquiry. I hereby return this process as
Not Found, on **12/19/2007** at **07:00** hours.

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

Timothy M. Evinger, Sheriff
Klamath County, Oregon

By



Copy to:

SALES KLAMATH COUNTY PROPERTY
305 MAIN ST
KLAMATH FALLS, OR 97601

KLAMATH COUNTY SHERIFF'S OFFICE
RETURN OF SERVICE

State of Oregon
County of Klamath

Court Case No.
Sheriff's Case No. A07003805

Received for Service 12/3/2007

I hereby certify that I received for service on

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BETWEEN KLAMATH COUNTY AND TAMI L COLE
DECLARED CANCELLED**

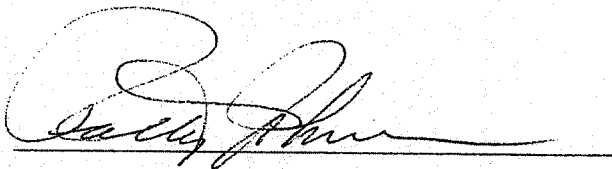
TAMI LYNN COLE

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Timothy M. Evinger, Sheriff
Klamath County, Oregon

By



Copy to:

SALES KLAMATH COUNTY PROPERTY
305 MAIN ST
KLAMATH FALLS, OR 97601

Mailed certified mail 7006 2150 0000 3873 2301

COPY

U.S. Postal ServiceTM

CERTIFIED MAIL[®] RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Tam

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To

Tami L. Cole

Street, Apt. No.,
or PO Box No.

P O Box 1615

City, State, ZIP+4

Klamath Falls, OR 97601

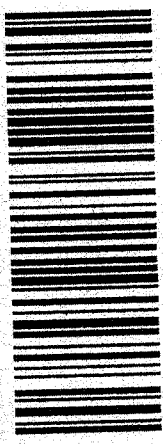
PS Form 3800, August 2005

See Reverse for Instructions

7006 2150 0000 3873 2301

KLAMATH COUNTY PROPERTY SALES
 Klamath County Gov't Center
 305 Main Street, Rm 238
 Klamath Falls, Oregon 97601

CERTIFIED MAIL[®]



7006 2150 0000 3873 2301

RETURNED TO SENDER
 UNCLAIMED

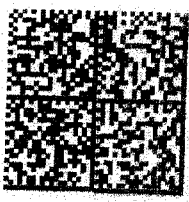
K. C. PROPERTY SALES

Tami L. Cole
 P O Box 1615
 Klamath Falls, OR 97601

RECEIVED
 FEB 0 4 2008

NAME
 1ST NOTICE JAN 4 2008
 2ND NOTICE 1/9
 RETURN 1/19

049J82030494
 \$05.21
 01/03/2008
 Mailed From 97601
 US POSTAGE



57601+0030 8015

