



BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

AFFIDAVIT OF DEFAULT OF LAND SALE AGREEMENTS

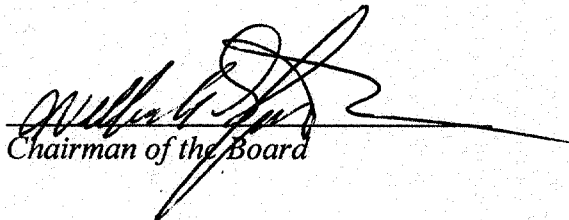
I, William A. Switzer, Chairman of the Klamath County Board of Commissioners, being first duly sworn say:

1. By Order No. 2008-083, dated February 26, 2008, and recorded on February 27, 2008, in Volume and Page 2008-002463 which is attached hereto and incorporated herein, the Land Sale Agreements dated June 1, 2006, recorded on June 12, 2006, in Volume M06, Page 11899 and Volume M06, Page 11903, between Klamath County and Richard A. Barnett 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.

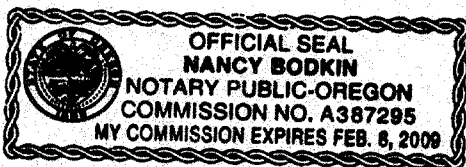
2. The Order was served in accordance with ORS 275.220 (2) giving twenty (20) days within which to appeal the Order.

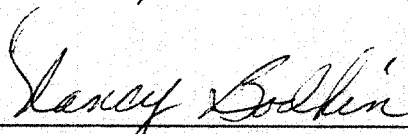
3. The time for Richard A. Barnett to respond has expired and no appeal has been received.

DONE and DATED this 8th day of April, 2008.


Chairman of the Board

SUBSCRIBED and sworn to before me this 8th day of April, 2008.




Notary Public for Oregon
My Commission expires Feb 8, 2009



02/27/2008 01:21:07 PM

Fee: NO FEE

BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON

In the Matter of two Land Sale Agreements between)
Klamath County and Richard A. Barnett Declared)
Cancelled)

Order 2008- 083

WHEREAS, Richard A. Barnett entered into two agreements with Klamath County on June 1, 2006, for the purchase of real properties described as: The SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 35 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon. And The NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 35 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

WHEREAS, the real properties were purchased for the sums of \$22,500.00 and \$11,800.00 with down payments of \$5,625.00 and \$2,950.00 made the day of the sale; the first annual installments with interests in the amounts of \$5,062.50 and \$2,644.00 were due June 1, 2007; and

WHEREAS, Richard A. Barnett has failed to make the first annual installments with interests and the 2006 fiscal year taxes as required by Sections 2, 3 and 8 of the Land Sale Agreements, and is now in default under the terms of the Land Sale Agreements; and

WHEREAS, on June 20, 2007, a letter and Notices of Statements were mailed regular and certified mail to Richard A. Barnett requesting the first annual installments with interests and the 2006 taxes totalling \$8,083.99 and \$174.11 be paid on the real properties by July 23, 2007, in order to avoid cancelling the Land Sale Agreements dated June 1, 2006. A return receipt to Klamath County Property Sales Department was received on July 3, 2007; and

WHEREAS, on August 1, 2007, a Notice was mailed regular and certified mail granting an extension to make the first annual installments with interests and the 2006 taxes totalling \$8,358.86 and \$176.27 be paid by August 31, 2007. The regular mail received and the certified mail was returned "unclaimed" to Klamath County Property Sales Department on August 21, 2007; and

WHEREAS, conversations and e-mails with Richard A. Barnett in October and November 2007, requesting an additional extension be given to make the interests only by November 15, 2007, and the annual installments before June 1, 2008, was granted, because one parcel was in escrow and Richard A. Barnett wasn't sure if escrow would close by November 15, 2007, and

WHEREAS, the title company determined a short fall on the property and title insurance was not given and escrow did not close; and

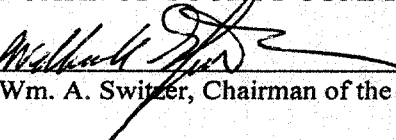
WHEREAS, on January 2, 2008, a final notice was mailed regular and certified mail requesting the interests and two-sixth payments of the annual installments plus the 2006 taxes totalling \$5,724.49 and \$184.86 be paid on the real properties by January 10, 2008. If full payments were not received by the deadline given, the balances, interests, recording fees and 2006 taxes totalling \$29,946.43 and \$184.86 would need to reach Property Sales Department by 5 p.m. on January 15, 2008, in order to avoid cancelling the Land Sale Agreements dated June 1, 2006; 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 Richard A. Barnett dated June 1, 2006, are hereby declared cancelled. A certified copy of this 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 123, Macdoel, CA 96058-0123. 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 26th day of February, 2008.

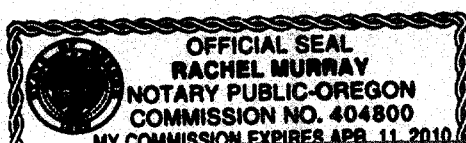
BOARD OF COUNTY COMMISSIONERS

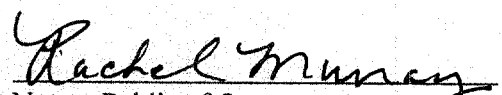

Wm. A. Switzer, Chairman of the Board


Wm. R. Brown, Co Commissioner


John W. Elliott, Co Commissioner

SUBSCRIBED and SWORN to before me this 26th day of February, 2008.




Notary Public of Oregon
My Commission Expires Apr 11, 2010

1922 3237 0005 0710 7007

U.S. Postal Service
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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

Richard A. Barnett


OFFICIAL USE

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

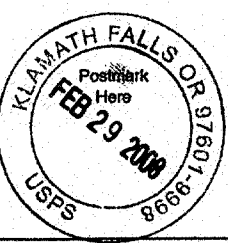
Sent To
Richard A. Barnett
Street, Apt. No.,
or PO Box No. P O Box 123
City, State, ZIP+4 Macdoel, CA 96058-0123

PS Form 3800, August 2006 See Reverse for Instructions

2008-002463
Klamath County, Oregon


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02/27/2008 01:21:07 PM Fee: NO FEE



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COUNTY, OREGON

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Order 2008-083

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WHEREAS, conversations and e-mails with Richard A. Barnett in October and November 2007, requesting an additional extension be given to make the interests only by November 15, 2007, and the annual installments before June 1, 2008, was granted, because one parcel was in escrow and Richard A. Barnett wasn't sure if escrow would close by November 15, 2007, and

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

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

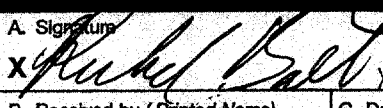
Richard A. Barnett
P O Box 123
Macdoel, CA 96058-0123

RECEIVED

MAR 19 2008

K. C. PROPERTY SALES

COMPLETE THIS SECTION ON DELIVERY

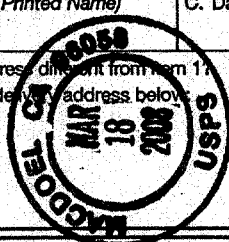
A. Signature

☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery


☐ Agent
☒ Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:



3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

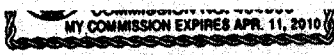
Signature of Commissioner

o Commissioner

Agreements between
y of this Order shall be
a address of the holder
he service of this order
he circuit court for the
a jury. If appeal is not
real properties forfeited

Article Number
(Transfer from service label)
7007 0710 0005 1922 3237

S Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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



Mar 11, 2010

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



7007 0710 0005 1922 3237

Richard A. Barnett
P O Box 123
Madoel, CA 96058-0123