

This Agreement, made and entered into this 3d day of November, 1972 by and between
KLAMATH FALLS, INC., an Oregon Corporation,
 hereinafter called the vendor, and
DONALD T. BERGER and ARLENE H. BERGER, husband and wife,
 hereinafter called the vendee.

WITNESSETH

Vendor agrees to sell to the vendee and the vendee agrees to buy from the vendor all of the following described property situated in Klamath County, State of Oregon, to-wit:
 Commencing at the East one-quarter corner of Section 7, Township 40 South, Range 9 East of the Willamette Meridian; thence North, 17°44'31" East, 1266.11 feet to a point on the West boundary of Lower Lake Road for the true point of beginning; thence South 85°00'10" West, 1040 feet, more or less, to the centerline of the North Canal; thence Northwesterly along the centerline of the North Canal to the East boundary of the Northwest one-quarter of the Northwest one-quarter of said Section 7; thence North, along said East boundary to a point 30.00 feet South of the North boundary of said Section 7; said point also being the South boundary of State Highway No. 413, commonly known as Cross Road; thence Easterly, along said road boundary to the Easterly boundary of Lower Lake Road; thence South 23°57'11" East along the boundary of Lower Lake Road to the point of beginning; and all the land within the boundaries of said Lots 7 and 10 of said Section 7.

EXCEPTING THEREFROM that part of the above described tract lying within Government Lots 7 and 10 of said Section 7.
 (This tract is subject to the right of condemnation and is not to be sold or conveyed without the approval of the Board of Commissioners of Klamath County, Oregon.)
 SUBJECT TO Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Drainage District, (Lot 6); Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Midland District Improvement Company. (Affects Lots 2 and 3); Easements and rights of way of record and those apparent on the land, if any;
 at and for a price of \$ 14,500.00, payable as follows, to-wit:

\$ 3,000.00 at the time of the execution of this agreement, the receipt of which is hereby acknowledged; \$ 11,500.00 with interest at the rate of 7% per annum from November 10, 1972, payable in installments of not less than \$ 800.00 semi-annually inclusive of interest, the first installment to be paid on the 10th day of May 1973, and a further installment on the 10th day of every May thereafter until the full balance and interest are paid. All or any portion may be prepaid without penalty.

Vendee agrees to make said payments promptly on the dates above named to the order of the vendor, **First Federal Savings & Loan Association of Klamath Falls,**

at Klamath Falls, Oregon; to keep said property at all times in as good condition as the same now are, that no improvement, now on or which may hereafter be placed on said property shall be removed or destroyed before the entire purchase price has been paid and ~~the vendee shall pay regularly and seasonably and before the same shall become subject to interest charges, all taxes, assessments, liens and incumbrances of whatsoever nature and kind~~

and agrees not to suffer or permit any part of said property to become subject to any taxes, assessments, liens, charges or incumbrances whatsoever having precedence over rights of the vendor in and to said property. Vendee shall be entitled to the possession of said property **November 10, 1972.**

Vendor will on the execution hereof make and execute in favor of vendee good and sufficient warranty deed conveying a fee simple title to said property free and clear as of this date of all incumbrances whatsoever, except as above stated.

which vendee cures, and will place said deed and purchaser's policy of title insurance in sum of \$14,500.00 covering said real property, together with one of these agreements in escrow, at the First Federal Savings & Loan Association of Klamath Falls, Oregon.

Klamath Falls,

at Klamath Falls, Oregon