

A-25340

AMENDMENT OF CONTRACT dated January 24, 1975, between D. E. COLWELL and BARBARA B. COLWELL, husband and wife, hereinafter called "VENDOR", and JAMES D. MARTIN and MADELINE P. MARTIN, husband and wife, hereinafter called "PURCHASER";

W I T N E S S E T H:

WHEREAS, Vendor and Purchaser have entered into a Contract of Sale of real property dated June 3, 1974, and recorded in Book M-74, Page 7609, covering that certain real property situate in Klamath County, Oregon, described in Exhibit "A" and Exhibit "B", which contract is hereinafter called "Original Contract"; and,

WHEREAS, Vendor has conveyed to Purchaser the real property described in said Exhibit "B" free from the above described contract; and,

WHEREAS, Vendor has conveyed to Purchaser the real property described in Exhibit "C" free from the above described contract; and,

WHEREAS, the real property remaining subject to said contract is situate in Klamath County, Oregon, and more particularly described in Exhibit "D"; and,

WHEREAS, the present principal balance due Vendor from Purchaser under said contract is \$ 4,186.66, hereinafter called "Deferred Balance", with interest paid to 2/1/75, 1975, hereinafter called "Interest Date";

NOW, THEREFORE, the parties agree as follows:

1. That Purchaser agrees to pay Vendor the Deferred Balance, together with interest on the declining balances thereof at the rate of seven and one-half (7.5%) percent per annum, in monthly installments of not less than \$50.00, inclusive of interest, the first such installment to be paid on the 1st day of February, 1975, and a like installment on the 1st day of each month thereafter, until the full Deferred Balance, plus interest, is paid. Interest commences on the Interest Date.

2. That the real property situate in Klamath County, Oregon, described in Exhibit "D" is the real property subject to the Vendor's lien and security created by said Contract and this Amendment.

3. That Exhibits "A" through "D" attached hereto are hereby made a part of this Amendment as though fully set forth at the place thereof wherein reference thereto is made.

4. That, except as expressly amended by this Amendment, the parties hereby reaffirm said Original Contract. The provisions and terms of this Amendment and the Original Contract shall be construed as one instrument and if the terms should conflict, the terms of this Amendment shall control as though originally contained in the Original Contract.

WITNESS the hands of the parties hereto, the day and year first above written.

D. E. COLWELL

JAMES G. MARTIN

BARBARA B. COLWELL

MADELINE P. MARTIN

STATE OF OREGON)
) ss.
County of Klamath)

On the 24 day of January, 1975, personally appeared the above named D. E. Colwell and Barbara B. Colwell, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Notary Public for Oregon

My Commission expires: 8-5-75

1 STATE OF OREGON)
 2) ss.
 3 County of Klamath)
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5 On the 21 day of June, 1975, personally appeared the above
 6 named JAMES D. MARTIN and MADELINE P. MARTIN, husband and wife, and
 7 acknowledged the foregoing instrument to be their voluntary act and deed.
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9 Before me:

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Notary Public for Oregon
 My Commission expires 6-15-76

GIACOMINI, JONES & ZAMSKY, ATTORNEYS AT LAW A PROFESSIONAL CORPORATION, KLAMATH FALLS, OREGON

REAL PROPERTY
LEGAL DESCRIPTION

The following described real property in Klamath County, Oregon:

A tract of land located in the Southeast quarter of Northeast quarter and the Northeast quarter of Southeast quarter of Section 22, Township 39 South, Range 8 East of the Willamette Meridian, more particularly described as follows:

Beginning at the quarter corner common to Sections 22 and 23; thence due South 43.0 feet; thence South 61° 24' West 647.2 feet; thence South 37° 11' East 485.4 feet to the Northwestern boundary of the Klamath Falls-Ashland Highway; thence along said highway South 39° 31' West 428.7 feet to a 3/4" galvanized iron pipe; thence North 14° 44' West 2441.9 feet to a 3/4" galvanized iron pipe; thence North 89° 25' 45" East 1168.7 feet to a 3/4" galvanized iron pipe; thence South along the Section line between Sections 22 and 23 1303.0 feet to the point of beginning.

EXCEPTING THEREFROM, a parcel of land commencing at the one-quarter corner common to Sections 22 and 23, Township 39 South, Range 8 East, Willamette Meridian; thence South 43.0 feet; thence South 61° 24' West 376.45 feet to the true point of beginning; thence South 61° 24' West 270.75 feet; thence South 37° 11' East 485.40 feet to the Northwestern boundary of Highway #66; thence South 39° 31' West along said Highway boundary 27.44 feet; thence North 37° 11' West 495.75 feet; thence South 74° 23' 20" West 136.37 feet; thence North 14° 44' West 495.53 feet; thence North 79° 43' East 497.95 feet; thence South 4° 14' 10" East 390.0 feet to the true point of beginning, containing 5.04 acres, more or less.

Exhibit "A"

REAL PROPERTY
LEGAL DESCRIPTION

Commencing at the one-quarter corner common to Sections 22 and 23, Township 39 South, Range 8 East, Willamette Meridian, Klamath County, Oregon; thence South 43.0 feet; thence South 61° 24' West 376.45 feet to the true point of beginning; thence South 61° 24' West 270.75 feet; thence South 37° 11' East 485.40 feet to the Northwestern boundary of Highway #66; thence South 39° 31' West along said Highway boundary 27.44 feet; thence North 37° 11' West 495.75 feet; thence South 74° 23' 20" West 136.37 feet; thence North 14° 44' West 495.53 feet; thence North 79° 43' East 497.95 feet; thence South 4° 14' 10" East 390.0 feet to the true point of beginning, containing 5.04 acres, more or less.

Exhibit "B"

REAL PROPERTY
LEGAL DESCRIPTION

A tract of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 39 South, Range 8 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at the quarter corner common to Sections 22 and 23; thence due South 43.0 feet; thence South 61° 24' West 674.64 feet, more or less, to the true point of beginning; thence South 37° 11' East 495.75 feet to the Northwestern boundary of the Klamath Falls-Ashland Highway; thence along said highway South 39° 31' West 401.26 feet to a 3/4 inch galvanized iron pipe; thence North 14° 44' West 687.2 feet, more or less, to the Southwest corner of property described in Deed Vol. M-74, page 8804; thence North 74° 23' 20" East 136.37 feet to the point of beginning.

Exhibit "C"

REAL PROPERTY
LEGAL DESCRIPTION

A tract of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 39 South, Range 8 East of the Willamette Meridian, more particularly described as follows:

Beginning at the quarter corner common to Sections 22 and 23; thence due South 43.0 feet; thence South 61° 24' West, 376.45 feet; thence North 4° 14' 10" West, 390.0 feet; thence South 79° 43' West, 497.95 feet; thence North 14° 44' West, 1255.85 feet; thence North 89° 25' 45" East, 1168.7 feet to a 3/4" galvanized iron pipe; thence South along the Section line between Sections 22 and 23, 1303.0 feet to the point of beginning.

STATE OF OREGON, }
County of Klamath } ss.

Filed for record at request of:

KLAMATH COUNTY TITLE CO

on this 30th day of January A. D. 19 75
at 2:15 o'clock P. M. and duly
recorded in Vol. M 75 of DEEDS
Page 1315

WM. D. MILNE, County Clerk

By *W. D. Milne*
Fee \$ 12.00 Deputy.

After recording return to Klamath County Title Co.