

MEMORANDUM OF CONTRACT FOR DEED

THIS INDENTURE, made and entered into this 31st day of August, 1976, by and between DONALD VANDERHOFF and BETTY JUNE VANDERHOFF, husband and wife, (hereinafter called "VANDERHOFF"), and STEVEN H. EWERT and LA NEA J. EWERT, husband and wife, (hereinafter called "EWERT");

W I T N E S S E T H :

WHEREAS, the parties have executed a document entitled "SALE AGREEMENT", dated August 31, 1976, wherein VANDERHOFF has agreed to sell and EWERT has agreed to buy, all of the following described real and personal property situated in Klamath County, State of Oregon:

PARCEL I

A tract of land situated in the NW 1/4 of the SW 1/4 of Section 7, Township 38 South Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:
Beginning at an iron pin on the Westerly Boundary of the New Dalles-California Highway, said point being South 89° 49' East 799.0 feet to the Westerly boundary of said highway and South 11° 36' East along said boundary 1056.29 feet from the West quarter corner of said Section 7; thence North 11° 36' West along the Westerly boundary of said Highway 100 feet; thence South 78° 24' West, 27 feet; thence South 11° 36' East 13 feet; thence South 78° 24' West 73.15 feet; thence South 11° 36' East 87 feet to an existing iron monument, which is the most southerly corner of that parcel of land described in Deed Volume 266, page 322, Deed Records of Klamath County, Oregon; thence North 69° 29' West, 26 feet to an iron pin; thence South 11° 36' East parallel with said highway 213.8 feet to an iron pin; thence North 78° 24' East 122 feet to an iron pin on the Westerly boundary of said Highway; thence North 11° 36' West along said boundary 200 feet, more or less, to the point of beginning.

PARCEL II

Together with a perpetual easement and right of way over the following described strip of land:
Beginning at a point in the Northwest quarter of the Southwest quarter of Section 7, Township 38 South, Range 9, East of the Willamette Meridian, Klamath County, Oregon, which point is on the Westerly right of way boundary of the presently located Dalles-California Highway, which point of beginning is South 89° 49' East 799 feet to the Westerly boundary of said highway and thence South 11° 36' East along said Westerly boundary a distance of 956.29 feet from the one-quarter corner common to said Section 7, and Section 12, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, said point of beginning being the Northeast corner of property heretofore conveyed to grantees by grantors herein; thence South 78° 24' West 27 feet; thence North 11° 36' West parallel to said Highway 90 feet; thence North 78° 24' East 27 feet to the Highway boundary line; thence South 11° 36' East along said Highway boundary line to the point of beginning.

together with the personal property set forth and described in the attached Exhibit "A" and "B" and by this reference incorporated herein;

WHEREAS, said Contract provides, among other things, that upon payment of the sum of ONE HUNDRED THOUSAND AND NO/100THS (\$100,000.00) VANDERHOFF will convey to EWERT the above described real property by Warranty Deed;

NOW, THEREFORE, the parties agree that the within Memorandum is executed for the purpose of memorializing of record the execution of the Contract aforesaid.

The Purchasers warrant to and covenants with the Sellers that the real property described in this Memorandum is for business or commercial purposes other than agricultural purposes.

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IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

Donald Vanderhoff
DONALD VANDERHOFF

Betty June Vanderhoff
BETTY JUNE VANDERHOFF

Steven H. Ewert
STEVEN H. EWERT

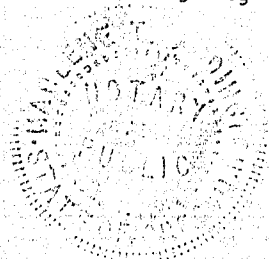
LA NEA J. Ewert by Steve Ewert, her attorney in fact
LA NEA J. EWERT by Steve Ewert, her attorney in fact

STATE OF OREGON)
County of Klamath) ss.

Personally appeared the above named DONALD VANDERHOFF, BETTY JUNE VANDERHOFF, STEVEN H. EWERT and LA NEA J. EWERT, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Harlene V. Haddington
Notary Public for Oregon
My Commission Expires: 3-21-77



Donald Vanderhoff, et ux
1814 Carlson Drive
Klamath Falls, Oregon 97601
SELLER'S NAME AND ADDRESS

Steven H. Ewert, et ux
North Highway 97
Klamath Falls, Oregon 97601
BUYER'S NAME AND ADDRESS

After recording return to:
Mountain Title Company
4535 South Sixth Street
Klamath Falls, Oregon 97601
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:
North Highway 97
Klamath Falls, Oregon 97601

FORM No. 159—ACKNOWLEDGMENT BY ATTORNEY-IN-FACT.

STATE OF OREGON,

County of Klamath) ss.

On this the 1st day of September, 1976, personally appeared STEVE EWERT who, being duly sworn (or affirmed), did say that he is the attorney in fact for LA NEA J. EWERT and that he executed the foregoing instrument by authority of and in behalf of said principal; and he acknowledged said instrument to be the act and deed of said principal.

(Official Seal)

Before me:

Harlene V. Haddington
Notary Public for the State of Oregon
My Commission Expires March 21, 1977
(Title of Officer)

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of MOUNTAIN TITLE CO

this 1st day of September A. D. 1976 at 4:00 o'clock P. M., and

duly recorded in Vol. M 76, of DEEDS on Page 13701

9.00

Wm D. MILNE, County Clerk

By Hazel Drayton