

33099

## MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, That the undersigned HARRY R. WAGGONER and ~~NORMA E. WAGGONER, husband and wife~~, as sellers, and P. H. LEELING and ETHELDA LEELING, husband and wife, and G. C. MUSSELMAN, JR. and MARCIA <sup>L</sup>MUSSELMAN, husband and wife, as buyers, have entered into an agreement of sale in writing under date of June 15, 1977, wherein sellers agreed to sell to buyers and buyers agreed to buy from sellers the following-described real property, situated in Klamath County, Oregon, to-wit:

A parcel of land situated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 20, Township 38 S., R. 9 E.W.M., being a portion of vacated Blocks 8 and 9, ELDORADO HEIGHTS ADDITION to the City of Klamath Falls, more particularly described as follows: Beginning at a  $\frac{3}{4}$  inch iron pipe marking the intersection of the easterly line of Daggett Street and the northerly line of Eldorado Boulevard; thence S.  $89^{\circ}16'$  E. along the northerly line of Eldorado Boulevard 233.75 feet to a  $\frac{3}{4}$  inch iron pipe marking the beginning of a  $40^{\circ}41'15''$  curve to the right and having a radius of 756.26 feet; thence along the arc of said curve southeasterly, and along the northerly line of Eldorado Boulevard, 537.0 feet to an iron pipe marking the most southerly corner of Lot 19, Block 8, Eldorado Heights, now vacated; thence leaving the northerly line of Eldorado Boulevard N.  $41^{\circ}26'44''$  E 110.0 feet to a point on a curve which is parallel to, concentric and 110 feet distant radially from the northerly right of way line of Eldorado Boulevard; thence northwesterly along the last-mentioned curve an arc distance of 451.05 feet, more or less, to an iron pin on the westerly line of said Block 8, now vacated; thence N.  $73^{\circ}53'30''$  W. 60.85 feet to an iron pin marking the northeasterly corner of Lot 14, Block 9, now vacated; thence N.  $89^{\circ}47'30''$  W. 341.05 feet to an iron pin on the easterly line of Daggett Street; thence S.  $0^{\circ}50'15''$  W., along said easterly line 110.0 feet to the point of beginning. EXCEPTING THEREFROM a parcel conveyed to the City of Klamath Falls by deed recorded March 27, 1969, in Volume M-69, Page 2228, records of Klamath County, Oregon. ALSO EXCEPTING a parcel of land situated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 20, Township 38 S., R. 9 E.W.M., and being a portion of vacated Block 8, Eldorado Heights Addition to the City of Klamath Falls, Oregon, and more particularly described as follows: Beginning at a  $\frac{3}{4}$  inch iron pipe marking the intersection of the easterly line of Daggett Street and the northerly line of Eldorado Boulevard; thence S.  $89^{\circ}16'$  E. along the northerly line of Eldorado Boulevard 233.75 feet to a  $\frac{3}{4}$  inch iron pipe marking the beginning of a  $19^{\circ}23'05''$  curve to the right and having a radius of 756.26 feet; thence along the arc of said curve a distance of 255.84 feet to the southeasterly corner of parcel conveyed to the City of Klamath Falls by deed recorded March 27, 1969, in Volume M-69, Page 2228, and the true point of this description; thence continuing along

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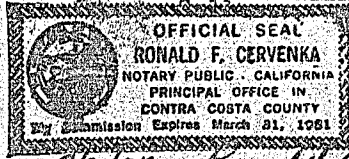
the northerly line of Eldorado Boulevard and along the arc of a 10°45'30" curve to the right having a radius of 756.26 feet, 142.0 feet to a point; thence leaving said northerly line N.30°21'05" E. 110.0 feet to a point on a curve which is parallel to, concentric and 110.0 feet distant radially from the northerly right of way line of Eldorado Boulevard; thence northwesterly along the last-mentioned curve an arc distance of 200.97 feet to the northeasterly corner of said parcel conveyed to the City of Klamath Falls; thence S. 0°47' W. along the easterly line of said parcel 115.69 feet to the true point of beginning.

RESERVING, HOWEVER, to sellers, their heirs and assigns, an easement for a geothermal or hot water pipe or line upon a strip of land 10 feet in width running along and parallel with the northeasterly boundary line of the above-described property.

The consideration recited in said contract of sale is the sum of \$56,598.00.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed this 10<sup>th</sup> day of June, 1977.

Paul H. Leeling  
Ethelda M. Leeling  
M. M. Muelman  
Maria L. Muelman  
 Buyers



STATE OF OREGON

County of KLAMATH

ss.

June 10, 1977

Ronald F. Cervenka

Personally appeared HARRY R. WAGGONER and NORMA E. WAGGONER, husband and wife, known to me to be the identical persons described as sellers in the foregoing Memorandum of Agreement, and acknowledged said instrument to be their voluntary act and deed.

Before me:

Dale R. Rinder  
 NOTARY PUBLIC FOR OREGON  
 My commission expires 9/23/77

STATE OF OREGON

County of KLAMATH

ss.

July 14, 1977

Personally appeared Paul H. Leeling and ETHELDA M. LEELING, husband and wife, known to me to be the identical persons described as buyers in the foregoing Memorandum of Agreement, and acknowledged said instrument to be their voluntary act and deed.

Before me:

Mary N. Dixon  
 NOTARY PUBLIC FOR OREGON  
 My Commission expires 12-3-79

(Memorandum of Agreement - 2)  
 STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 27th day of JULY A.D., 19 77 at 11:56 o'clock A M., and duly recorded in Vol M77 of DEEDS on Page 13404.

FEE \$ 6.00

WM. D. MILNE, County Clerk

By Hazel Smith Dep

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