

MTC 3417

MEMORANDUM OF CONTRACT

TO: Clerk of Klamath County, Klamath Falls, Oregon.

That on the 26 day of August, 1977, a contract of sale was entered into between CECIL E. ELLIOTT, hereinafter called Seller, and J. VERNON GOOLD and TILLIE L. GOOLD, husband and wife, hereinafter called Buyers, in consideration of the agreements therein contained on the following legal description, situated in Klamath County, State of Oregon:

- 77 SEP 12 PM 3 58
- PARCEL 1 The S 1/2 SE 1/4 Section 25, Township 35 South, Range 9 East of the Willamette Meridian.
- PARCEL 2 The NE 1/4 of Section 36, Township 35 South, Range 9 East of the Willamette Meridian, lying Northerly of the center thread of main channel of Sprague River as it exists March 20, 1976. Said main channel qualified as running nearest the North line of Section 36, Township 35 South, Range 10 East of the Willamette Meridian.
- PARCEL 3 The S 1/2 S 1/2 of Section 30, Township 35 South, Range 10 East of the Willamette Meridian.
- PARCEL 4 The N 1/2 N 1/2 NE 1/4, the N 1/2 S 1/2 N 1/2 NE 1/4, the NE 1/4 NW 1/4, the N 1/2 N 1/2 SE 1/4 NW 1/4 of Section 31, Township 35 South, Range 10 East of the Willamette Meridian.
- PARCEL 5 Government Lots 1 and 2 lying Northerly and Easterly of center thread of the main channel of the Sprague River as it exists March 20, 1976 in Section 31, Township 35 South, Range 10 East of the Willamette Meridian. The said center thread of main channel of Sprague River qualified as running nearest the Easterly line of said Section 31, Township 35 South, Range 10 East of the Willamette Meridian.

SUBJECT TO:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. Right of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Sprague River.
3. Reservations, including the terms and provisions thereof, as set forth in Land Status Report recorded February 3, 1949 in Book 309 at page 336, Deed Records of Klamath County, Oregon, to-wit:

"Subject to any existing easements for public roads and highways, for public utilities, and for railroads and

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pipe lines and for any other easements or rights-of-way of record; and there is hereby reserved any and all roads, trails, telephone lines, etc., actually constructed by the United States, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr., January 13, 1916, 44 L. D. 513)."

(Affects S 1/2 SE 1/4 of Section 25, Township 35 South, Range 9 East of the Willamette Meridian.)

4. Terms and provisions as set forth in Land Status Report, recorded in Book 308 at page 539, and Book 308 at page 463 and Book 318 at page 504, Deed Records of Klamath County, Oregon.

5. Easement, including the terms and provisions thereof, to Pacific Gas Transmission Co., a corporation, said easement is not of record but is disclosed by Subordination agreement dated April 13, 1960, recorded May 23, 1960 in Mortgage Volume 196 at page 234. (Affects SE 1/4 SW 1/4 of Section 30, Township 35 South, Range 10 East of the Willamette Meridian.)

6. Easement for gas line purposes created by instrument, including the terms and provisions thereof, dated February 15, 1960, recorded March 21, 1960 in Book 319 at page 569, Deed Records of Klamath County, Oregon, in favor of Pacific Gas Transmission Company, and a Notice of Location thereof, recorded in Book 332, page 346, Deed Records of Klamath County, Oregon. (Affects NW 1/4 of Section 31, Township 35 South, Range 10 East of the Willamette Meridian.)

7. Easement for electric transmission lines created by instrument, including the terms and provisions thereof, dated June 20, 1966, recorded July 1, 1966 in Volume M66, page 6692, Microfilm Records of Klamath County, Oregon, in favor of Pacific Power and Light Company. (Affects SW 1/4 of Section 30, Township 35 South, Range 10 East of the Willamette Meridian.)

8. Easement for electric transmission lines created by instrument, including the terms and provisions thereof, dated July 5, 1966, recorded July 21, 1966 in Volume M66, page 7434, Microfilm Records of Klamath County, Oregon, in favor of Pacific Power and Light Company. (Affects NE 1/4 of Section 31, Township 35 South, Range 10 East of the Willamette Meridian.)

9. An easement created by instrument, including the terms and provisions thereof,
Dated: May 15, 1976.
Recorded: May 19, 1976 in Volume M76, page 7482, Microfilm Records of Klamath County, Oregon.
In favor of: Adjacent property owners.
For: Ingress and egress over the South 20 feet Section 30, Township 35 South, Range 10 East of the Willamette Meridian, South 20 feet of SE 1/4 Section 25, Township 35 South, Range 9 East of

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the Willamette Meridian and the West 20 feet of N 1/2 NE 1/4 Section 36, Township 35 South, Range 9 East of the Willamette Meridian.

10. An easement for ingress and egress to adjoining property, South 20 feet of the SE 1/4 of Section 25 and the West 20 feet of the N 1/2 NE 1/4 of Section 36, lying Northerly of the Center of Sprague River, Township 35 South, Range 9 East of the Willamette Meridian, as disclosed by instrument, including the terms and provisions thereof, recorded May 19, 1976 in Volume M76, page 7482, Microfilm Records of Klamath County, Oregon. (Affects Parcel 1 & 2.)

Until a change is requested, all tax statements shall be sent to the following address: J. Vernon Goold and Tillie L. Goold, Star Route 2, Chiloquin, Oregon 97624.

This is a memorandum of the Contract of Sale entered into between the parties hereto and does not set out, nor is it intended to set out the actual agreement between the parties. The primary document is a Contract of Sale, together with other documents under the date of August 26, 1977, which is the controlling document, and if any dispute between this memorandum and the primary document should arise, the primary document shall control.

The true and actual consideration for the sale and purchase of said real property is the sum of \$160,000.00.

Cecil E. Elliott
Cecil E. Elliott, Seller-Grantor

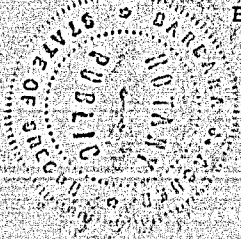
J. Vernon Goold
By *Jan R. Goold*
J. Vernon Goold, Buyer-Grantee

Tillie L. Goold
By *Jan R. Goold*
Tillie L. Goold, Buyer-Grantee

STATE OF OREGON)
County of Klamath) ss. August 26, 1977.

Personally appeared the above-named Cecil E. Elliott and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME:



Barbara J. Risher
Notary Public for Oregon
My Commission expires: ~~2-29-80~~
12-3-77

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

STATE OF OREGON,

County of Klamath } ss.

On this, the 30th day of August, 1977, personally appeared
James R. Goold,
 who, being duly sworn (or affirmed), did say that he is the attorney in fact for
J. Vernon Goold and Tillie L. Goold and
 that he executed the foregoing instrument by authority of and in behalf of said principal; and he acknowl-
edged said instrument to be the act and deed of said principal.

OFFICIAL SEAL

(Official Seal)

Before me:

Judy Blubaugh
 (Signature)

my commission expires 8-23-81
 (Title of Officer)

Return
 MTC - Judy

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at Seaside ofthis 12th day of September, A. D. 1977 at 3:58 o'clock P. M., andfully recorded in Vol. 177, of Deeds on Page 17007

Wm D. MILNE, County Clerk

Fee \$12.00

By Bernetha H. Litch