

A-28664

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, That the undersigned L. A. SWETLAND, M.D., P.C., PENSION AND PROFIT SHARING TRUST; R. H. OTTEMAN, M.D., P.C., PENSION AND PROFIT SHARING TRUST; ORE-CAL GENERAL WHOLESALE, INC., an Oregon corporation, and GARRET D. HILYARD and BETTY JEAN HILYARD, husband and wife, as sellers, and GARY R. HOBIN and MARY ELLEN HOBIN, husband and wife, as buyers, have entered into an agreement of sale in writing under date of 12-15, 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 tract of land situated in the NE $\frac{1}{4}$, Section 13, Township 39 S., R. 9 E.W.M., more particularly described as follows: Beginning at a 5/8 inch iron pin on the southerly line of the property described in Deed Volume 244, Page 51, as recorded in the Klamath County Deed Records, said point being S. 00°12'57" W. 1059.29 feet and S. 72°58'03" W. 256.42 feet from the Northeast corner of said Section 13; thence, along the westerly line of the Enterprise Irrigation District ditch, S. 08°50'27" E. 119.67 feet to a 5/8 inch iron pin, along the arc of a curve to the left (radius is 300.00 feet, central angle is 33°10'47") 173.73 feet to a 5/8 inch iron pin, S. 42°01'14" E. 173.52 feet to a 5/8 inch iron pin on the westerly right of way line of State Highway No. 39; thence along said right of way S. 00°09'44" W. 600.00 feet to a 5/8 inch iron pin; thence N. 89°50'16" W. 397.50 feet to a 5/8 inch iron pin; thence N. 28°36'17" W. 919.58 feet to a 5/8 inch iron pin on the southerly line of the property described in said Deed Volume 244, Page 51; thence along said southerly line N. 72°58'03" E. 488.25 feet to a 5/8 inch iron pin on the Northwest corner of the Pacific Power & Light Company transformer property; thence bounding said property, S. 00°11'43" W. 226.84 feet, S. 89°48'17" E. 150.00 feet, N. 00°11'43" E. 273.35 feet to a 5/8 inch iron pin on the southerly line of the property described in Deed Volume 244, Page 51; thence N. 72°58'03" E. 15.00 feet to the point of beginning, containing 11.65 acres, with bearings based on recorded Survey No. 1751, as recorded in the Klamath County Surveyor's office. Subject to easements and encumbrances of record and those apparent on the ground.

The consideration recited in said contract of sale is the sum of \$40,000.00.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed this 15 day of Nov, 1977.

L. A. SWETLAND, M.D., P.C., PENSION
AND PROFIT SHARING TRUST

By [Signature]

(Memorandum of Agreement - 1)

77 DEC 13 PM 2 51

24110

Mail to, 'Statement to':
Mr & Mrs Gary R Hobin
PO Box 709
Philomath, Or 97370

Return to KCTO.

R. H. OTTEMAN, M.D., P.C., PENSION
AND PROFIT SHARING TRUST

By R. H. Otteman

ORE-CAL GENERAL WHOLESALE, INC.

By J. L. H. H.
President

By Jewell Huston
Secretary

Garret D. Hilyard
Garret D. Hilyard

Betty Jean Hilyard
Betty Jean Hilyard

Gary R. Hobin
Gary R. Hobin

Mary Ellen Hobin
Mary Ellen Hobin

STATE OF OREGON }
County of KLAMATH } ss. Dec 8, 1977

Personally appeared L. A. SWETLAND, Trustee under the L. A. SWETLAND, M.D., P. C., PENSION AND PROFIT SHARING TRUST, known to me to be the identical person who executed the foregoing Memorandum of Agreement, and acknowledged said instrument to be his voluntary act and deed.
Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires 8-5-79

STATE OF OREGON }
County of KLAMATH } ss. Dec 12, 1977

Personally appeared R. H. OTTEMAN, Trustee under the R. H. OTTEMAN, M.D., P.C., PENSION AND PROFIT SHARING TRUST, known to me to be the identical person who executed the foregoing Memorandum of Agreement, and acknowledged said instrument to be his voluntary act and deed.
Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires 8-5-79

STATE OF OREGON }
County of KLAMATH } ss. Dec 1, 1977

Personally appeared HARRY R. WAGGONER and JEWELL HUSTON, who, being first duly sworn, did say that they are the President and Secretary, respectively, of ORE-CAL GENERAL WHOLESALE, INC., an Oregon corporation, and that the foregoing Memorandum of Agreement was signed in behalf of said corporation by authority of its board of directors; and they acknowledged said instrument to be its voluntary act and deed.
Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires 8-5-79

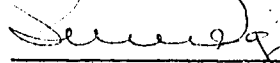
(Memorandum of Agreement - 2)

24111

STATE OF OREGON }
County of KLAMATH } ss. Dec 9, 1977

Personally appeared the above-named GARRET D. HILYARD and BETTY JEAN HILYARD, husband and wife, known to me to be the identical persons described in and who executed the foregoing Memorandum of Agreement, and acknowledged said instrument to be their voluntary act and deed.

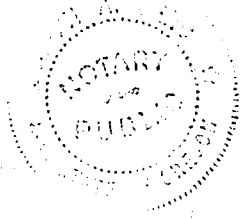
Before me:



NOTARY PUBLIC FOR OREGON
My commission expires 8-5-79

Personally appeared the above-named GARY. R. HOBIN and MARY ELLEN HOBIN, husband and wife, known to me to be the identical persons described in and who executed the foregoing Memorandum of Agreement, and acknowledged said instrument to be their voluntary act and deed.

Before me:

State of Oregon }
County of Benton } ss. Dec 7, 1977




NOTARY PUBLIC FOR OREGON
My commission expires 11/28/81

STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record ~~or request of~~ _____
this 13th day of December A. D. 19 77 at 2:56 clock P. M., and
fully recorded in Vol. M77, of _____ Deeds _____ on Page 24109

W. D. MILNE, County Clerk
Fec \$9.00 