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MTC #4945-B

1745

MEMORANDUM OF CONTRACT FOR DEED

THIS INDENTURE, made and entered into this 27th day of January, 1978, by and between DONALD VANDERHOFF and BETTY JUNE VANDERHOFF, husband and wife, (hereinafter called "VANDERHOFF"), and RICHARD R. BATSELL and LARRY D. BATSELL, dba BATSELL BROTHERS OIL CO., (hereinafter called "BATSELL");

W I T N E S S E T H :

WHEREAS, the parties have executed a document entitled "SALE AGREEMENT", dated January 27, 1978, wherein VANDERHOFF has agreed to sell and BATSELL 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 $\frac{1}{4}$ of the SW $\frac{1}{4}$ 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 that property described in Deed Volume 294, page 426, Records of Klamath County, 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.

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boundary line to the point of beginning,

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

WHEREAS, said Contract provides, among other things, that upon payment of the sum of SEVENTY THOUSAND AND NO/100THS DOLLARS (\$70,000.00) VANDERHOFF will convey to BATSELL 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 covenant with the Sellers that the real property described in this Memorandum is for business or commercial purposes other than agricultural purposes.

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

BATSELL BROTHERS OIL CO.

by Richard R. Batsell
Richard R. Batsell

by Larry D. Batsell
Larry D. Batsell

Donald Vanderhoff
Donald Vanderhoff

Betty June Vanderhoff
Betty June Vanderhoff

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above named DONALD VANDERHOFF, BETTY JUNE VANDERHOFF, RICHARD R. BATSELL and LARRY D. BATSELL, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

W. Darlene T. Addington
Notary Public for Oregon
My Commission Expires: 3-22-81

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

Richard R. Batsell & Larry D. Batsell
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:
Batsell Brothers Oil Co.
2305 South 6th Street
Klamath Falls, Oregon 97601
NAME, ADDRESS, ZIP

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STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record at request of Mountain Title Co
this 30th day of January A. D. 1978 at 10:02 o'clock A. M., and
fully recorded in Vol. N78, of Deeds on Page 1739

Wm D. MILNE, County Clerk
Barbara J. Detach

Fee \$6.00