

Until a change is requested, all tax statements shall be sent to the following address:

ARE 6960-17

55154

David W. Down

4254 Arthur St., Klamath Falls, Or.

MEMORANDUM OF CONTRACT

Vol. 78 Page 20633

KNOW ALL MEN BY THESE PRESENTS, That on the 17th day of September, 1978, ALRICK FRIDOLF NYBACK and HAZEL NINON NYBACK, husband and wife, appearing therein as Sellers, entered into a contract to sell real property with DAVID W. DOWN, appearing therein as Buyer, for the sale of the following described real estate situated in the County of Klamath, State of Oregon:

Lot 51, CASTLE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT TO: (1) The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.

(2) The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.

(3) Reservations as contained in plat dedication, to-wit: "1. The owners of the land in this subdivision, their heirs and assigns in whom title may be vested shall always, at their own expense properly maintain and operate such system. 2. That Klamath Irrigation District, its successors and assigns and the United States, person, firm or corporation operating the irrigation works of the Klamath Irrigation District, shall never be liable for damage caused by improper construction, operation or care of such irrigation system or for lack of sufficient water for irrigation, liability of the operators of Klamath Irrigation District being limited to furnishing water at established outlets in the U.S.R.S. Lateral 1, Klamath Irrigation District."

(4) Reservations as contained in Deed recorded in Volume 282, page 490, Deed Records of Klamath County, Oregon, as follows: "subject to rights of way for ditches and subject to contract and/or lien for irrigation and/or drainage."

That the Buyer in said contract agreed to pay Sellers the sum of \$1,950.00 for said real property, and said sum is the true and actual consideration for said sale.

SELLERS:

Alrick Fridolf Nyback

Hazel Ninon Nyback

BUYER:

David W. Down

STATE OF OREGON)

County of Klamath)

Before me this 17th day of September, 1978, personally appeared the above-named ALRICK FRIDOLF NYBACK and HAZEL NINON NYBACK, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

(S. E. A. L.)

James P. Suban
Notary Public for Oregon
My Commission Expires: 8-25-81

MEMORANDUM OF CONTRACT

STATE OF OREGON

20634

County of Klamath

Before me this 18th day of September, 1978, personally appeared the above-named DAVID W. DOWN, and acknowledged the foregoing instrument to be his voluntary act and deed.

NOTARY PUBLIC
STATE OF OREGON

John Blubaugh
Notary Public for Oregon
My Commission Expires: 8-23-81

Return
MTC - Judy

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.

on 18th day of September A. D. 1978 at 3:52 clock PM., and

was recorded in Vol. 178 of Deeds on Page 20633

W. D. MILNE, County Clerk

Beauchamp H. H. H. H.

Fee \$6.00