

MEMORANDUM OF CONTRACT

THIS MEMORANDUM OF CONTRACT, made this 28 day of August, 1978, between BILLY J. SKILLINGTON, Seller, and DAVID D. THOMAS and BONNY JO THOMAS, Purchaser.

W I T N E S S E S:

Pursuant to ORS 93.670, the following memorandum has been executed for recording purposes:

1. NAME OF SELLER: Billy J. Skillington
2. NAME OF PURCHASER: David D. Thomas and Bonny Jo Thomas, husband and wife.
3. DESCRIPTION OF PROPERTY: See Exhibit A, attached.
4. INTEREST TRANSFERRED: Seller's interest in real property described in number 3, above, known as G & E Market of Klamath Falls, Oregon.
5. TRUE AND ACTUAL CONSIDERATION: \$60,000.
6. TAX STATEMENTS SHALL BE SENT TO: 5745 Shasta Way, Klamath Falls, Oregon 97601.

SELLER:

Billy J. Skillington
Billy J. Skillington

PURCHASER:

David D. Thomas
David D. Thomas
Bonny Jo Thomas
Bonny Jo Thomas

STATE OF OREGON)

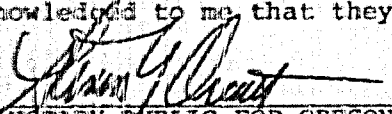
)

: ss.

County of Klamath)

21210

On this 28 day of August, 1978, personally appeared the within named DAVID D. THOMAS and BONNY JO THOMAS who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.


NOTARY PUBLIC FOR OREGON

My Commission Expires: 8/29/81

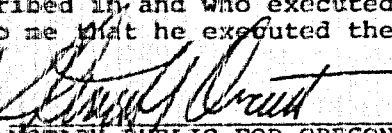
STATE OF OREGON)

)

: ss.

County of Klamath)

On this 25 day of August, 1978, personally appeared the within named BILLY J. SKILLINGTON who is known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.


NOTARY PUBLIC FOR OREGON

My Commission Expires: 8/29/81

EXHIBIT A

21241

A portion of Tract 68, FAIR ACRES SUBDIVISION #1, more particularly described as follows:

Beginning at a point on the South line of said Tract 68 which is West 30 feet and North 0° 11' East 30 feet from the corner common to Sections 35 and 36, Township 38 South, Range 9 East of the Willamette Meridian, and Sections 1 and 2, Township 39 South, Range 9 East of the Willamette Meridian; thence North 0° 11' East parallel with the East line of said Tract 68, a distance of 80 feet; thence West a distance of 75.25 feet; thence South 0° 11' West a distance of 80 feet to the South line of said Tract 68; thence East along said South line, a distance of 75.25 feet to the point of beginning.

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 Enterprise Irrigation District.
3. Reservations and restrictions in deed from Walter T. Smith, a single man, and Frank A. Smith and Edith Smith to J. B. Ferguson and Aura Ferguson, husband and wife, dated September 12, 1927, recorded September 22, 1927 on page 455 of Volume 77 of Deeds, recorded in Klamath County, Oregon.
4. Grant of Right of Way, including the terms and provisions thereof, given by Harold E. Clawson and Faye Clawson, husband and wife, to The California Oregon Power Company, a California corporation, dated November 9, 1959, recorded November 12, 1959 in Deed Volume 317, page 171, Records of Klamath County, Oregon, for transmission line.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of James E. McCobb

on 26th day of September A. D. 1978 at 8:48 clock A.M., or

by recorded in Vol 178 of Deeds on Page 21239

W. D. MILNE, County Clerk

By *Barbara D. DeLoach*

Fee \$9.00

EXHIBIT A

James E. McCobb
1783 Whiskey Run
Klamath Falls, Or