

5960-1

59663

MEMORANDUM OF LAND-SALE CONTRACT

Vol 27788
Page 27794

KNOW ALL MEN BY THESE PRESENTS, that on the 23rd day of June, 1978, James S. Zbinden and Robert L. Zbinden, as tenants in common, as vendor(s) and James R. Lancaster & Janice M. Lancaster, husband and wife, as vendee(s) made and entered into a certain land-sale contract wherein said vendor(s) agreed to sell to said vendee(s) and the latter agreed to purchase from said vendor(s) the fee-simple title in and to the following described real property in Klamath County, State of Oregon, to-wit: see Exhibit "A" which is attached hereto and by this reference incorporated herein.

The true and actual consideration for the transfer, set forth in said contract, is \$70,000.00, payable \$-0.00 down on the signing of said contract and the balance payable in ☒ monthly, ☐ quarterly, ☐ semi-annual, ☐ annual installments (indicate which) of not less than \$698.00 each; all deferred payments bear interest at the rate of 9% per annum from the date of said contract until paid.

In Witness Whereof the said vendor(s) has executed this memorandum 11/30, 1978.

James S. Zbinden
Robert L. Zbinden

NOTE: The foregoing memorandum shall be recorded by the conveyer not later than 15 days after the "land-sale contract" is executed and the parties are bound thereby. ORS 93.635.

STATE OF OREGON,)
County of Klamath) ss.
November 30, 1978.
Personally appeared the above named
James S. Zbinden

STATE OF OREGON, County of) ss.
, 19

Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

and acknowledged the foregoing instrument to be his voluntary act and deed.

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL SEAL) *[Signature]*
(Notary Public for Oregon)
My commission expires: 3-17-81

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

VENDOR'S NAME AND ADDRESS

VENDEE'S NAME AND ADDRESS

After recording return to:

James Spindler
136 N. 3rd
City

NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

STATE OF OREGON

County of) ss.

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book on page or as file/reel number Record of Deeds of said county. Witness my hand and seal of County affixed.

SPACE RESERVED
FOR
RECORDER'S USE

By Recording Officer
Deputy.

ck 60 ck 91

27795

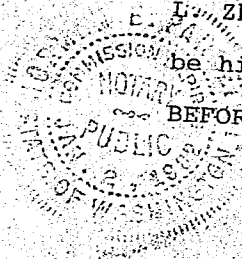
27795

Robert L. Zbinden
Robert L. Zbinden

STATE OF WASHINGTON)
County of Yakima) ss.

12/4, 1978.

Personally appeared the above named Robert
Zbinden and acknowledged the foregoing instrument to
be his voluntary act and deed.



BEFORE ME:

Norman S. Parmiter
Notary Public for Washington
My commission expires: 11/2/82

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~on 12/11/78~~
this 11th day of December A. D. 1978 at 2:34 o'clock P.M., and
duly recorded in Vol. 11-78 of Deeds on Page 27794

Fee \$6.00

Wm D. MILNE, County Clerk
By Paqueline J. Metler

Exhibit "A"

PARCEL 1

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, Township 29 South, Range 7 East of the Willamette Meridian Klamath County, Oregon and Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 6, Township 29 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, SAVING AND EXCEPTING from said property that portion thereof described as follows: Beginning at the Southwest corner of said Section 6; thence along the West line of said Section 6 to the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 6 North 1 $^{\circ}$ 32' 00" East 1,336.69 feet to the true point of beginning of this description; thence along the North line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 6 South 87 $^{\circ}$ 14' 00" East 163.0 feet to the Westerly right of way line of U.S. Highway No. 97; thence along the Westerly edge of said right of way South 17 $^{\circ}$ 47' 50" West 597.05 feet; thence continuing along the Westerly edge of said right of way on a spiral curve left 516.33 feet; thence leaving the Westerly edge of said right of way South 55 $^{\circ}$ 47' 50" West 282.54 feet to a point on the Northerly right of way line of Oregon State Highway No. 230; thence along the Northerly edge of said right of way North 85 $^{\circ}$ 51' 10" West 872.40 feet to a point on the Easterly right of way line of the Redmond-Klamath Falls, Bonneville Power Administration transmission line; thence along the Easterly edge of said right of way North 4 $^{\circ}$ 28' 40" East 1,228.83 feet to the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1; thence along

said North line South 87° 14' 00" East 1, 168.36 feet to the true point of beginning.

EXCEPTING THEREFROM THE FOLLOWING:

- (a) That portion conveyed to Klamath County for road purposes by deed recorded May 5, 1931, in Volume 95, page 202, Deed Records of Klamath County, Oregon.
- (b) That portion conveyed to Klamath County for road purposes by deed recorded April 28, 1937, in Volume 109, page 1 Deed Records of Klamath County, Oregon.
- (c) That portion conveyed to the State of Oregon by and through its State Highway Commission by deed recorded May 6, 1946, in Volume 188, page 387, Deed Records of Klamath County, Oregon.
- (d) That portion conveyed to the State of Oregon by and through its State Highway Commission by deed recorded June 18, 1954, in Volume 267, page 408, Deed Records of Klamath County, Oregon.
- (e) That portion conveyed to the State of Oregon by and through its State Highway Commission by deed recorded August 31, 1955, in Volume 277, page 156, Deed Records of Klamath County, Oregon.

PARCEL II

A tract of land located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 1) of Section 7, Township 29 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at the intersection of the North boundary line of Klamath Indian Reservation and the Easterly line of the Dalles-California Highway; thence Southeasterly along the Easterly line of said highway 50 feet; thence Northeasterly parallel with the North line of said Klamath Indian Reservation 200 feet; thence Northwesterly parallel with the Easterly line of said highway 50 feet to the North line of the Klamath Indian Reservation; thence Southwesterly along the said North line 200 feet to the point of beginning. Subject, however, to the following:

1. The rights of the public in and to that portion of the premises herein described lying with the limits of existing roads.
2. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission recorded May 6, 1946, in Volume 188, page 387, Deed Records of Klamath County, Oregon, which provides that no right or easement of right of access to, from or across the Highway other than expressly therein provided for shall attach to the abutting property.
3. Easement for electric power transmission lines and incidentals, 125 feet wide, as conveyed to the United States of America by deed recorded December 12, 1951, in Volume 251, page 493, Deed Records of Klamath County, Oregon.

4. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission recorded June 18, 1954, Volume 267, page 408, Deed Records of Klamath County, which provides that no right or easement of right of access to, from or across the highway other than expressly therein provided for shall attach to the abutting property.

5. Recital in the deed from the United States of America to Delford Lang, recorded June 9, 1958, in Volume 300, page 41, Deed Records of Klamath County, Oregon, and correction deed recorded November 14, 1961, Volume 333, page 637, to wit:

"Title to the above-described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way or record."
(Affects Parcel 2)

6. Right of way for pipelines for conveying natural and artificial gas and other gaseous or liquid hydrocarbons and any products or by-products thereof and all incidentals, 100 feet wide, as conveyed to Pacific Gas Transmission Company, by deed recorded March 21, 1960, Volume 319, page 553, Deed Records of Klamath County, Oregon. (Affects the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 1).

7. Right of way for telephone lines and all incidentals as conveyed to Beaver State Telephone Company by deed recorded June 30, 1971 in Volume M71, page 6774, Deed Records of Klamath County, Oregon. (Affects Lot 7 of Section 6)

BOTH OF THE ABOVE-MENTIONED PARCELS ARE SUBJECT TO:

1977-78 real property taxes which are now a lien, but not yet payable, and all future real property taxes and assessments; reservations, restrictions, easements and rights of way of record, and those apparent on the land.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~as requested~~

9:32

on the 13th day of December A. D. 1978 at — o'clock AM., and

fully recorded in Vol. M-78, of Deeds on Page 27888

Wm D. MILNE, County Clerk

Fee \$9.00

By

Jaqueline Mettler