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TA-M-38-20386 Vol. 79 Page 28469

MEMORANDUM OF CONTRACT FOR SALE

THIS INDENTURE, made and entered into this 30th day of November, 1979, by and between BULK MANUFACTURING CO., hereinafter called Seller, and JAMES MOSURAK, hereinafter called Purchaser,

W I T N E S S E T H :

WHEREAS, the parties have executed a document entitled "AGREEMENT OF SALE," dated November 30, 1979, wherein Seller has agreed to sell and Purchaser has agreed to buy all of the following-described real property situated in Klamath County, State of Oregon:

A parcel of land situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a brass bolt on the intersection of the centerline of the Dalles-California Highway and the South line of said Section 1, said point being South 89°56' West a distance of 17.90 feet from the Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1 as shown on Survey No. 590 recorded in the office of the Klamath County Surveyor; thence North 46°09' West along the centerline of said highway a distance of 356.00 feet; thence North 17°48' West a distance of 63.18 feet to the intersection of the Southwesterly bank of the Enterprise Irrigation District canal and the Northeasterly right of way line of said highway; thence North 17°48' West along the right of way line of the canal 358.00 feet to the true point of beginning of the description; thence South 43°51' West 170.00 feet to the Northeasterly right of way line of the State Highway; thence North 46°09' West along the highway right of way 110.00 feet; thence North 43°51' East 209.77 feet to the Southerly right of way line of the irrigation canal; thence South 07°58' West along the canal right of way 49.08 feet; thence South 17°48' East along the canal right of way line 92.3 feet to the point of beginning, LESS any land lying inside the State Highway right of way.

Subject, however, to the following:

1. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Enterprise Irrigation District.
2. Limited access in deed to State of Oregon by and through its State Highway Commission, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.
Recorded : May 1, 1972 Book: M-72 Page: 4624
and modified by Indenture of Access
Recorded : June 7, 1973 Book: M-73 Page: 6987
3. Mortgage, including the terms and provisions thereof, with interest thereon and such future advances as may be provided therein, given to secure the payment of \$65,000.00
Dated : October 9, 1973
Recorded : October 9, 1973 Book: M-73 Page: 13618
Mortgagor : Family Fund Inc., an Oregon Corporation
Mortgagee : Western Bank, Klamath Falls Branch, which Purchaser herein does not assume and agree to pay, and Seller further covenants to and with Purchaser that the said prior mortgage shall be paid in full prior to, or at the time this contract is fully paid and that said above described real property will be released from the lien of said mortgage upon payment of this contract.

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4. Contract, including the terms and provisions thereof,
 Dated : May 7, 1977 Book: M-77 Page: 9975
 Recorded : June 8, 1977
 Vendor : Family Funland, Inc., an Oregon Corporation
 Vendee : Gordon A. Quimby and Sandra D. Quimby, husband and wife,

The vendees interest in said contract was assigned by instrument
 Recorded : November 1, 1978 Book: M-78 Page: 24693
 To : Bulk Manufacturing Co., which Purchaser herein does not assume and agree to pay, and Seller further covenants to and with Purchaser that the said prior contract shall be paid in full prior to, or at the time this contract is fully paid and that said above described real property will be released from the lien of said contract upon payment of this contract.

5. An easement created by instrument, including the terms and provisions thereof,
 Recorded : June 8, 1977 Book: M-77 Page: 9971
 In favor of : Adjoining property owners
 For : Well and Septic Tank use

The grantee interest in said easement was assigned by instrument
 Dated : June 1, 1977
 Recorded : June 8, 1977 Book: M-77 Page: 9969
 To : Gordon A. Quimby and Sandra D. Quimby

WHEREAS, said Agreement has provided for the sale of certain real property therein described, and

WHEREAS, said Agreement provides, among other things, that upon payment of the sum of ONE HUNDRED THIRTY-FIVE THOUSAND AND NO/100THS DOLLARS (\$135,000.00), Seller will convey to Purchaser 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 Agreement aforesaid.

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

BULK MANUFACTURING CO.

By: [Signature] Pres

By: Norman E. Hahn Secy
 SELLER

James Mosurak
 JAMES MOSURAK
 PURCHASER

STATE OF OREGON)

County of Clackamas) ss.

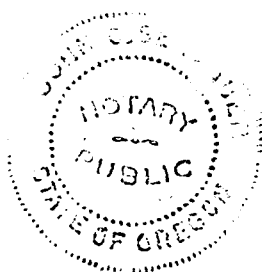
November 30, 1979.

Personally appeared the above named Robert D. Quirier,
 President of Bulk Manufacturing Co., and Norman E. Hahn,
 Secretary of Bulk Manufacturing Co., and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

[Signature]
 Notary Public for Oregon
 My Commission Expires: 12/31/81

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STATE OF OREGON)
) ss.
County of Klamath)

December
~~November~~ 6, 1979.

Personally appeared JAMES MOSURAK and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Marlene L. Addington
Notary Public for Oregon
My Commission Expires: 3-22-81

Return To: T/A

Attn: Marlene

Send Taxes To:

James Mosurak
6831 So. 6th St.
City, 97601

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Co.

this 11th day of December A. D. 1979 at 11:05 clock A.M., and

is recorded in Vol. M79, of Doods on Page 28469

Wm D. MILNE, County Clerk.

By *Berntha Hetch*

Fee \$10.50