

AMENDMENT TO CONTRACT OF SALE

This Amendment to Contract is made as of this 18 day of January, 1980, by and between Lloyd S. Carr and Betty M. Carr, husband and wife, hereinafter referred to as "Sellers" and Gerald F. Garcia and Jacqueline Garcia, husband and wife, hereinafter referred to as "Purchasers";

WITNESSETH;

Sellers by Contract of Sale dated June 17, 1977, recorded at Volume M77, Page 10822, Deed Records of Klamath County, State of Oregon, agreed to sell to Purchasers and Purchasers agreed to purchase from Sellers certain real property situated in Klamath County, State of Oregon, described as follows:

"The Northwest 1/4 of Section 22, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon

Subject to exceptions set forth in said Land Sales Contract; and

By Order of Declaratory Judgment dated November 9, 1979, in Klamath County Circuit Court Case No. 78-62-E, title was ordered vested in Lloyd S. Carr and Betty M. Carr, husband and wife, and Gerald F. Garcia and Jacqueline Garcia, husband and wife, to an adjoining parcel of property situated in Klamath County, Oregon, to-wit:

"A parcel of land, containing 17.358 acres, more or less, situated in the North one-half of the Southwest one-quarter of Section 22, Township 36 South, Range 11 East, Willamette Meridian, in Klamath County, Oregon; being more particularly described as follows:

Beginning at a 1/2" rebar marking the one-quarter corner common to Sections 21 and 22, thence S 00° 36' 22" W -- 413.50 feet, along the Section line common to Sections 21 and 22, to a fence running Easterly; thence Easterly along said fence line as follows: N 87° 12' 20" E -- 415.44 feet; thence N 85° 35' 40" E -- 378.23 feet; thence N 86° 03' 26" E -- 103.74 feet; thence N 85° 26' 45" E -- 367.65 feet; thence N 84° 22' 40" E -- 311.79 feet; thence N 77° 24' 35" E -- 258.55 feet; thence N 85° 50' 17" E -- 115.26 feet; thence N 87° 51' 20" E -- 159.39 feet; thence N 58° 07' 56" E -- 161.71 feet; thence N 80° 50' 44" E -- 142.15 feet; thence N 86° 47' 01" E -- 281.56 feet to a fence on the North-South centerline of Section 22; thence N 00° 28' 24" E -- 90.97 feet, along the North-South centerline of Section 22, to a 1/2" rebar marking the Center one-quarter corner of Section 22; thence N 89° 43' 55" W -- 2643.92 feet, along the East-West centerline of Section 22, to the place of beginning."

The parties hereto agree and stipulate that the Contract of Sale dated June 17, 1977, recorded at Volume M77, Page 10822, Deed Records of Klamath County, Oregon, shall be amended so as to include conveyance by Sellers by quitclaim deed of that certain real property,

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and all improvements thereon, situated in Klamath County, State of Oregon, described as follows:

"A parcel of land, containing 17.358 acres, more or less, situated in the North one-half of the Southwest one-quarter of Section 22, Township 36 South, Range 11 East, Willamette Meridian, in Klamath County, Oregon; being more particularly described as follows:

Beginning at a 1/2" rebar marking the one-quarter corner common to Sections 21 and 22, thence S 00° 36' 22" W -- 413.50 feet, along the Section line common to Sections 21 and 22, to a fence running Easterly; thence Easterly along said fence line as follows: N 87° 12' 20" E -- 415.44 feet; thence N 85° 35' 40" E -- 378.28 feet; thence N 86° 03' 26" E -- 103.74 feet; thence N 85° 26' 45" E -- 367.65 feet; thence N 84° 22' 40" E -- 311.79 feet; thence N 77° 24' 35" E -- 258.55 feet; thence N 85° 50' 17" E -- 115.26 feet; thence N 87° 51' 20" E -- 159.39 feet; thence N 58° 07' 56" E -- 161.71 feet; thence N 80° 50' 44" E -- 142.15 feet; thence N 86° 47' 01" E -- 281.56 feet to a fence on the North-South centerline of Section 22; thence N 00° 28' 24" E -- 90.97 feet, along the North-South centerline of Section 22, to a 1/2" rebar marking the Center one-quarter corner of Section 22; thence N 89° 43' 55" W -- 2643.92 feet, along the East-West centerline of Section 22, to the place of beginning.

SUBJECT TO Contracts and/or liens for irrigation and/or drainage, and reservations, easements, restrictions and rights of way of record and those apparent on the land."

And Purchasers and Sellers further agree that all of the provisions of the aforementioned Contract of Sale shall be binding as upon both Purchasers and Sellers with regard to both of the aforementioned parcels of property, as/both of the aforementioned parcels of property had been included in the original Contract of Sale.

It is further mutually agreed between the parties that as soon as practicable following the execution of this Contract, Sellers shall deliver into escrow the following additional documents:

- a) An original recorded and executed Amendment to Contract of Sale.
- b) Unrecorded Quitclaim Deeds to the additional parcel of property from Sellers to Purchasers and Purchasers to Sellers.
- c) Such escrow instructions as shall meet with the approval of the above-named escrow agent.

IN WITNESS WHEREOF, the parties have caused this Amendment to Contract to be executed in duplicate as of the day and year first-above written.

Lloyd S. Carr
LLOYD S. CARR, Seller

Betty M. Carr
BETTY M. CARR, Seller

Gerald F. Garcia
GERALD F. GARCIA, Purchaser

Jaqueline Garcia
JACQUELINE GARCIA, Purchaser

STATE OF OREGON, County of Klamath) ss.

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Personally appeared the above-named Lloyd S. Carr and Betty M. Carr and acknowledged the foregoing instrument to be their voluntary act and deed.

Dated before me this 10 day of January, 1980.

Neal S. Buchanan
NOTARY PUBLIC FOR OREGON
My Commission Expires: 12-20-81

STATE OF OREGON, County of Klamath) ss.

Personally appeared the above-named Gerald F. Garcia and acknowledged the foregoing instrument to be his voluntary act and deed.

Dated before me this 18 day of January, 1980.

Neal K. Kuntz
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10-20-83

STATE OF OREGON, County of Klamath) ss.

Personally appeared the above-named Jacqueline Garcia and acknowledged the foregoing instrument to be her voluntary act and deed.

Dated before me this 18 day of January, 1980.

Neal Kuntz
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10-20-83

After recording return:

Mountain Title Company
Collection Department

STATE OF OREGON,)
County of Klamath)
Filed for record at request of

Mountain Title Co.
on this 23rd day of March A.D. 19 80
at 1:24 o'clock P M, and duly
recorded in Vol. 1180 of Deeds
page 5853

Wm D. MILNE, County Clerk
By *Bernetha Hellock* Deputy

Fee 10.50