

22326-9-D  
MEMORANDUM OF CONTRACT

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THIS INDENTURE, made and entered into this 26 day of August, 1980, by and between HOWARD M. WINNETT and PATRICIA M. WINNETT, husband and wife, and HARRY JONES, herein-after called Seller, and MALCOLM A. RUBIN and CARMELLA A. RUBIN, husband and wife, hereinafter called Purchaser;

## W I T N E S S E T H:

WHEREAS, the parties have executed a document entitled "CONTRACT", dated August 26, 1980, wherein Sellers have agreed to sell and Purchaser has agreed to buy all real property, equipment, furnishings and fixtures now used by Seller in the operation of that certain business known as "WILLIAMSON RIVER RESORT AND STORE" located in Chiloquin, Oregon, and being more particularly described as follows:

All of Lot 4, Section 29, lying West of the Old Dalles-California Highway, and all of Lot 1, Section 30 lying West of said highway, all in Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

Subject, however, to the following:

1. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Modoc Irrigation District.
2. Rights of the public and of governmental bodies in that portion of the above described property lying below the high water mark of Williamson River and the ownership of the State of Oregon in that portion lying below the high water mark thereof.
3. Memorandum of Agreement, including the terms and provisions thereof,

Dated : November 30, 1977  
Recorded : December 7, 1977 Book: M-77 Page: 23746  
Vendor : Robert L. Judd and Marjorie M. Judd, husband and wife, and ~~Harry Jones~~, which Buyers herein do not assume and agree to pay, and Sellers further covenant to and with Buyers 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 in full of this contract.

TOGETHER WITH the personal property set forth in the attached Exhibit "A" and by this reference incorporated herein.

WHEREAS, said Contract has provided for the sale of said real and personal property therein described; and

WHEREAS, said Contract provides among other things that upon payment of the sum of ONE HUNDRED SEVENTY-FIVE THOUSAND AND NO/100THS (\$175,000.00) DOLLARS, Seller will convey to Purchaser the real and personal property together with the assumed business name of WILLIAMSON RIVER RESORT AND STORE free and clear of all liens.

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NOW THEREFORE, the parties agree that the within Memorandum is executed for the purpose of memorializing of record the execution of the Contract aforesaid.

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

Howard M. Winnett  
HOWARD M. WINNETT

Patricia M. Winnett  
PATRICIA M. WINNETT

Harry Jones  
HARRY JONES

Malcolm A. Rubin  
MALCOLM A. RUBIN

Carmella A. Rubin  
CARMELLA A. RUBIN

SELLER

PURCHASER

STATE OF OREGON                   )  
  ) ss  
County of Klamath               )

August 26, 1980

Personally appeared the above named Howard M. Winnett, Patricia M. Winnett, Harry Jones, Malcolm A. Rubin and Carmella A. Rubin and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Donna K. Mateson  
DONNA K. MATESON  
NOTARY PUBLIC-OREGON  
My Commission Expires 1/24/84

Notary Public for Oregon  
My Commission expires:

PERSONAL PROPERTY

## STORE:

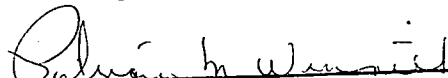
One-third horse refrigerator unit for walk-in  
 10' x 10' huge walk-in cooler  
 Miscellaneous shelving  
 Scale-standard computing  
 Meat slicer GTR Model 15  
 Miscellaneous linens, 50 sheets, 30 pillow cases  
 One Remington electric adding machine, 1 RC Allen crank  
 cash register, intercom phone system  
 One freezer check type comp. Philco  
 One Gaffer and Sattler heater for store - built-in  
 Nine Valco aluminum boats - 14', 2 - 15 hp Johnson engines,  
 One 3.9 hp Mercury engine, 1 - 20 hp Johnson engine, 1 - 5hp  
 Sea King, 1 aluminum canoe  
 One gas push mower, Sears model 131.97614  
 Two lengths of fire hose, miscellaneous cushions, jackets,  
 miscellaneous tools for business.

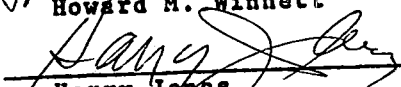
## CABINS:


Thirteen double beds, mattress and box springs, 1 rollaway bed,  
 6 refrigerators, 6 stoves, 6 toasters, miscellaneous dishes,  
 silver, cookware, 3 davenports, 3 lounge chairs, 6 tables, 24  
 chairs  
 Existing dock units, 4 picnic tables, 7 benches, underground  
 sprinkler system with rain bird heads, 2 hp pump, Berkley - run  
 8, 2" pipe, pump in basement, purple martin birdhouse, oil dispenser,  
 1 gas pump at marina-550, gas storage - 285 & 560, propane tank fill  
 house owned separate, 7 garbage cans, 9 litter barrels, forced air  
 Coleman propane in home, water heater in home, 4 water heaters for  
 cabins, fish cleaning table, 3 propane space heater, 3 smaller propane  
 heaters, 1/2 horse sump pump, 400 gal. m/l pressure tank, 2 septic  
 tanks.

Seller guarantees that all motors, compressors, pumps and  
 miscellaneous machinery are in good working order as of the date  
 of sale.

  
 Howard M. Winnett

  
 Patricia M. Winnett

  
 Harry Jones

  
 Malcolm A. Rubin

  
 Carmella A. Rubin

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Co.

this 29th day of August A. D. 1980 at 11:32 o'clock A.M., or

fully recorded in Vol. M80, of Deeds on Page 16442

Wm D. MILNE, County Clerk  
 By 

Fee \$10.50

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EXHIBIT "A"