

MEMORANDUM OF CONTRACT - REAL ESTATE

A real estate contract dated April 1, 1981 has been executed wherein FLOWERS BROS., INC., an Oregon corporation, agreed to sell and JAMES A. FLOWERS and TERRY M. FLOWERS, husband and wife, as tenants by the entirety, agreed to purchase all of the following described real property situate in Klamath County, Oregon, to-wit:

A tract of land situated in Sections 15, 22, 23, 26 and 27, Township 40 South, Range 8 East, Willamette Meridian, in Klamath County, Oregon, containing 306 acres, more or less, being more particularly described as follows:

That portion of section 15 and that portion of section 22 lying easterly of the following described parcel:

A parcel of land situated in sections 15 and 22, Township 40 South, Range 8 East, Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod on the South high bank of the Klamath Straits drain from which point the brass cap marking the section corner common to sections 15, 16, 21 and 22 bears N 89°12'37" W, 2255.49 feet; thence S 11°57'22" W, 1936.75 feet to a 5/8" iron rod; thence S 33°31'32" W, 888.11 feet to a 5/8" iron rod on the East-West centerline of section 22; thence S 89°51'07" W, 38.88 feet to the Center-West 1/16 corner of said section 22; thence S 00°15'16" E, 1334.67 feet along the North-South centerline of the southwest one-quarter of said section 22 to the Southwest 1/16 corner of section 22; thence N 89°39'47" E, 1319.83 feet along the East-West centerline of said southwest one-quarter of section 22 to the Center-South 1/16 corner of section 22; thence S 00°13'05" E, 1330.32 feet along the North-South Centerline of section 22 to the brass cap marking the South one-quarter corner of section 22; thence N 89°46'59" E, 1341.61 feet along the section line common to sections 22 and 27 to the East 1/16 corner common to sections 22 and 27 marked by a 5/8" iron rod; thence N 00°28'37" W, 2659.06 feet along the North-South centerline of the southeast one-quarter of section 22 to the Center-East 1/16 corner of section 22; thence N 41°18'05" E, 403.16 feet; thence N 29°43'05" E, 117.33 feet to a point on the centerline of a drainage ditch; thence continuing along the centerline of said drainage ditch along the following described courses:

- 1.) N 29°43'05" E, 129.68 feet; thence
- 2.) N 24°30'02" E, 427.04 feet; thence
- 3.) N 18°23'18" E, 177.99 feet; thence
- 4.) N 03°52'20" W, 58.40 feet; thence
- 5.) N 22°45'29" W, 99.17 feet; thence
- 6.) N 00°16'25" E, 78.98 feet; thence
- 7.) N 01°44'04" E, 90.00 feet; thence
- 8.) N 17°49'39" W, 240.04 feet; thence
- 9.) N 18°48'14" W, 322.62 feet; thence
- 10.) N 23°56'53" W, 588.84 feet; thence
- 11.) N 30°17'12" W, 223.59 feet; thence
- 12.) N 16°51'56" W, 191.45 feet; thence

leaving said centerline, N 58°46'58" W, 396.63 feet to a 5/8" iron rod on the South high bank of the Klamath Straits Drain; thence continuing N 58°46'58" W, 25 feet, more or less, to the mean high water line of the Klamath Straits Drain; thence southwesterly and westerly following the sinuosities of the mean high water line on the south bank of said Klamath Straits Drain to a point from which a 5/8" iron rod on the South high bank bears S 11°57'22" W, 15 feet, more or less; thence S 11°57'22" W, 15 feet, more or less, to the point of beginning, containing 278.73 acres, more or less;

and lying southerly of the Klamath Straits Drain.

EXCEPTING THEREFROM the Southeast one-quarter of the Southeast one-quarter of said section 22.

ALSO EXCEPTING, A tract of land situated in the Southeast one-quarter of the Northeast one-quarter of section 22, Township 40 South, Range 8 East, Willamette Meridian, in Klamath County, Oregon being more particularly described as follows:

Beginning at the North 1/16 corner common to sections 22 and 23 from which the corner common to sections 14, 15, 22 and 23 bears N 00°44'10" W, 1328.77 feet; thence S 89°55'07" W, 631.68 feet along the North line of the Southeast one-quarter of the Northeast one-quarter of said section 22; thence S 03°24'36" E, 124.78 feet; thence S 20°14'07" E, 172.95 feet; thence S 38°20'25" E, 412.59 feet; thence S 51°28'03" E, 408.59 feet; thence N 00°44'10" W, 865.95 feet to the point of beginning, containing 8.24 acres, more or less.

Also that portion of section 23 lying northwesterly of the Southern Pacific Railroad and lying South of the Klamath Straits Drain;

EXCEPTING THEREFROM that tract of land described in Volume 102 at Page 304 of Deed Records of Klamath County, Oregon.

ALSO EXCEPTING, A tract of land situated in the Northwest one-quarter of section 23, Township 40 South, Range 8 East, Willamette Meridian, in Klamath County, Oregon, being more particularly described as follows:

Beginning at the North 1/16 corner common to sections 22 and 23 from which the corner common to sections 14, 15, 22 and 23 bears N 00°44'10" W, 1328.77 feet; thence S 00°44'10" E, 865.95 feet along the section line common to sections 22 and 23; thence leaving said section line S 51°28'03" E, 469.66 feet; thence S 69°33'28" E, 318.80 feet; thence S 80°56'47" E, 139.34 feet; thence S 76°49'31" E, 475.69 feet; thence S 88°00'19" E, 161.69 feet; thence N 71°40'53" E, 116.82 feet; thence N 50°37'56" E, 235.97 feet; thence S 72°31'19" E, 195.61 feet to a point on the northwesterly right-of-way line of the Southern Pacific Railroad; thence N 16°52'40" E, 30.00 feet along said northwesterly right-of-way line; thence leaving said right-of-way line N 72°31'19" W, 107.24 feet; thence N 51°42'36" W, 111.36 feet; thence N 10°14'28" E, 141.22 feet; thence N 02°39'46" E, 226.49 feet; thence N 18°59'24" W, 725.06 feet; thence N 34°10'10" W, 117.71 feet; thence West, 1451.06 feet to the point of beginning, containing 47.77 acres, more or less.

Also the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and those portions of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 lying Westerly of the Southern Pacific Railroad and Northerly and Westerly of tract conveyed to Klamath Drainage District by Deed recorded in Volume 152 page 31 Deed Records of Klamath County, Oregon.

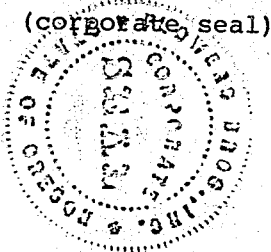
Also that portion of section 26 lying northwesterly of the Southern Pacific Railroad.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$100,100.00.

Being duly sworn, said parties depose and say that they have executed the above described contract and that the statements contained in this memorandum are true. If either of the said parties is a corporation, it has caused its corporate name to be signed and its corporate seal affixed hereto by its officers

duly authorized thereunto by order of its board of directors.

FLOWERS BROS., INC., Seller



By: Francis M. Flowers
FRANCIS M. FLOWERS, President
Freeda M. Flowers
FREEDA M. FLOWERS, Secretary
James A. Flowers
JAMES A. FLOWERS, Purchaser
Terry M. Flowers
TERRY M. FLOWERS, Purchaser

STATE OF OREGON,)
) ss.
County of Klamath.)

DATE: Apr. 1, 1981.

Personally appeared FRANCIS M. FLOWERS and FREEDA M. FLOWERS who, being duly sworn, each for himself and not one for the other, did say that the former is the President and the latter is the Secretary of FLOWERS BROS., INC., an Oregon 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:

Quentin D. Steele
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-1-83

STATE OF OREGON,)
) ss.
County of Klamath.)

DATE: Apr. 3, 1981.

Personally appeared the above named JAMES A. FLOWERS and TERRY M. FLOWERS, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Betty Hazel
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6-30-84

After recording return
to Quentin D. Steele,
133 N. 4th Street,
Klamath Falls, OR 97601

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STATE OF OREGON; COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the

6th day of April, A.D., 1981 at 3:16 o'clock p M., and duly recorded in

Vol M81 of Deeds on page 6184.

Fee \$ 14.00

EVELYN BIEHN
COUNTY CLERK

By Debra G. Janzin Deputy