

MEMORANDUM OF CONTRACT

THIS INDENTURE, made and entered into this 18th day of April, 1983, by and between MARIO A. C. DELLA CASA and CHERYLE L. DELLA CASA (hereinafter called Seller), and LYLE G. HOWELL and JOLENE HOWELL (hereinafter called Purchaser);

WITNESSETH

WHEREAS, the parties have executed a document entitled "CONTRACT OF SALE", dated 18th, 1983, wherein Seller has agreed to sell and Purchasers have agreed to buy, all of the following described real property situated in Klamath County, State of Oregon:

The SE1/4 NE1/4 of Section 32, Township 39 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, TOGETHER WITH a perpetual easement for road purposes only, through S1/2 SW1/4 of Section 28, and the NW1/4 of Section 33, Township 39 South, Range 12 East of the Willamette Meridian, as follows:

Said easement is through a strip of land 30 feet wide extending in a Southerly direction from the "East-West Road" now established in said S1/2 SW1/4 of Section 28, across part of said S1/2 SW 1/4 and part of the NW1/4 of said Section 33, to the SE1/4 NE 1/4 of Section 32, Township 39 South, Range 12 East of the Willamette Meridian, following an old road located near the West line of land through which this easement is granted, said easement being recorded in Book 316 of Deeds on page 619, on October 26, 1959.

Subject to the following:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied, and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Langell Valley Irrigation District.
4. As Easement created by instrument, including the terms and provisions thereof, dated October 22, 1959, recorded October 26, 1959 in Volume 316, page 619, Deed Records of Klamath County, Oregon, in favor of Ralph E. Vaden, et ux, for road purposes.
5. Lease and Agreement, including the terms and provisions, thereof, dated June 17, 1973, recorded August 17, 1973, in Volume M73, page 11135, Microfilm Records of Klamath County, Oregon, between Edward H. Barinoff and Jeanne M. Barinoff, husband and wife, tenants by the entirety, Lessor and Dowdle

Oil Corporation, Lessee.

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WHEREAS, said contract has provided for the sale of certain real property therein described; and,
WHEREAS, said contract provides, among other things, that upon payment of the sum of SEVENTY FIVE THOUSAND and NO/100 DOLLARS allocated to the real property, Seller will convey to Purchasers 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 contract aforesaid.

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

Mario A. C. Della Casa
MARIO A. C. DELLA CASA

Cheryle L. Della Casa
CHERYLE L. DELLA CASA

STATE OF OREGON)
County of Klamath) ss.

On this 18th day of April, 1983, personally appeared the above named Mario A. C. Della Casa and Cheryle L. Della Casa and acknowledged the foregoing instrument to be their voluntary act and deed.

Kristi L. Garrison
NOTARY PUBLIC for Oregon
My Commission expires: 6/19/83
Jolene Howell
JOLENE HOWELL

Lyle G. Howell
LYLE G. HOWELL

STATE OF OREGON)
County of Klamath) ss.

On this 18th day of April, 1983, personally appeared the above named Lyle G. Howell and Jolene Howell and acknowledged the foregoing instrument to be their voluntary act and deed.

Kristi L. Garrison
NOTARY PUBLIC for Oregon
My Commission expires: 6/19/83

Seller's name and address:

Mario & Cheryle Della Casa
5531 Mason Lane
Klamath Falls, OR 97601

Purchaser's name and address:

Lyle G. & Jolene Howell
P.O. Box 25A
Bonanza, OR 97623

After recording return to:

Mountain Title Co.
Same as Seller

Mail tax statements to:

Lyle G. & Jolene Howell
Same as Purchaser above

STATE OF OREGON)
County of Klamath) ss.

for
recorder's
use

I certify that the within instrument was received for record on the 20 day of April, 1983, at 8:37 o'clock A.M., and recorded in book/ XXXXXX M83 on page 6060 or as document/ XXXXXX No. 22651 Record of Deeds of said county.

Evelyn Biehn, County Clerk
Name _____ Title _____

fee 12.00

By Sue Lewis