

28479

MTC 12863-Vol. 1183, Page 16102

## MEMORANDUM OF CONTRACT

THIS INDENTURE, made and entered into this 16<sup>th</sup> day of September, 1983, by and between LANA A. LAWSON, (hereinafter called SELLER), and DOUG J. PRATT and NANCY DEE PRATT, (hereinafter called BUYER);

## WITNESSETH

WHEREAS, the parties have executed a document entitled "CONTRACT OF SALE", dated 9-16, 1983, wherein SELLER has agreed to sell and BUYERS have agreed to buy, all of the following described real property situated in Klamath County, State of Oregon:

## PARCEL 1: TAX LOT 400

A parcel of land in the NE 1/4 NE 1/4 of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the iron pin at the SW corner of the NE 1/4 NE 1/4 of said Section 34, said point being the SE corner of Beverly Heights Subdivision; thence Northerly along the West line of the NE 1/4 NE 1/4 of said Section 34 and the East line of Beverly Heights, a distance of 208.71 feet; thence Easterly parallel with the South line of the NE 1/4 NE 1/4 of said Section 34 a distance of 208.71 feet; thence Southerly parallel with the Westerly line of the NE 1/4 NE 1/4 of said Section 34 a distance of 208.71 feet to the Southerly line of the NE 1/4 NE 1/4 of said Section 34; thence Westerly along the South line of the NE 1/4 NE 1/4 of said Section 34 a distance of 208.71 feet to the point of beginning.

## PARCEL 2: TAX LOT 300

A tract of land situated in the NE 1/4 NE 1/4 of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the South line of the NE 1/4 NE 1/4 of said Section 34, said point being East a distance of 208.71 feet from the SW corner of the NE 1/4 NE 1/4 of said Section 34, thence East along the South line of the NE 1/4 NE 1/4 of said Section 34, a distance of 386.55 feet; thence North parallel with the West line of the NE 1/4 NE 1/4 of said Section 34 a distance of 208.71 feet; thence North parallel with the West line of the NE 1/4 NE 1/4 of said Section 34 a distance of 208.71 feet; thence West parallel with the South line of the NE 1/4 NE 1/4 of said Section 34 a distance of 386.55 feet; thence South parallel with the West line of the NE 1/4 NE 1/4 of said Section 34 a distance of 208.71 feet to the point of beginning.

## PARCEL 3: TAX LOT 3100

A parcel of land situated in lots 14 and 19 of Enterprise tracts located in Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron axle marking the Northeast corner of said lot 14; thence from said point of

beginning South 88 degrees 34'11" West along the North boundary of said Lot 14, 656.69 feet to a 5/8" iron pin marking the Northwest corner of said Lot 14, thence South 88 degrees 44'05" West along the North line of said Lot 19, 135.31 feet, thence leaving said North line of said Lot 19 South 00 degrees 09'08" East, 330.39 feet to a point; thence North 88 degrees 34'11" East 792.01 feet to a point on the East line of said Lot 14, thence North 00 degrees 09'08" West along the East line of said Lot 14, 330.00 feet to the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING:

A tract of land situated in Tracts 13 and 14, Enterprise Tracts, Klamath County, Oregon, and being a portion of those tracts of land described in Deed Volumes M78, page 22591 and Volume M78, page 5397, Microfilm Records of Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of the tract of land described in Deed Volume M78, page 22591, Microfilm Records of Klamath County, Oregon, which is on the East line of said Tract 14, South 01 degrees 02'42" West, 330.00 feet from the Northeast corner of said Tract 14; thence along the South line of said M78, page 22591, South 89 degrees 46'01" West, 85.82 feet to a point 55.00 feet left of Engineer's Station 53+92.07 Foothill Boulevard; thence North 70 degrees 48'36" East, 112.32 feet to a point on the Easterly line of that tract of land described in said Deed Volume M78, page 5397, and being 50.00 feet left of Engineer's Station 55+04.28 Foothill Boulevard; thence along said Easterly line of M78-5397 South 34 degrees 43'47" West, 35.32 feet; thence South 01 degrees 02'42" West 7.54 feet to the point of beginning, with bearings based on Foothill Boulevard.

PARCEL 4: TAX LOT 3200

A tract of land situated in the E 1/2 NE 1/4 of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin located North 40.0 feet and South 88 degrees 33' West a distance of 515.9 feet from the Southeast corner of the NE 1/4 NE 1/4 of said Section 34; thence South 10 degrees 10' West a distance of 122.4 feet to an iron pin; thence South 22 degrees 50' 36" West a distance of 173.62 feet to an iron pin; thence South 33 degrees 33' West a distance of 101.0 feet to an iron pin; thence North 362.25 feet to an iron pin that is located 40.0 feet North of the South line of the NE 1/4 NE 1/4 of said Section 34; thence North 88 degrees 33' East parallel with the South line of the NE 1/4 NE 1/4 of said Section 34 a distance of 144.9 feet to the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING:

A tract of land situated in Tracts 13 and 14, Enterprise Tracts, Klamath County, Oregon, and being a portion of those tracts of land described in Deed Volumes M78, page 22591 and

Volume M78, page 5397, Microfilm Records of Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of that tract of land described in Deed Volume M78, page 22591, Microfilm Records of Klamath County, Oregon, which is on the East line of said Tract 14, South 01 degrees 02'42" West, 330.00 feet from the Northeast corner of said Tract 14; thence along the South line of said M78, page 22591, South 89 degrees 46'01" West, 85.82 feet to a point 55.00 feet left of Engineer's Station 53+92.07 Foothill Boulevard; thence North 70 degrees 48' 36" East, 112.32 feet to a point on the Easterly line of that tract of land described in said Deed Volume M78, page 5397, and being 50.00 feet left of Engineer's Station 55+04.28 Foothill Boulevard; thence along said Easterly line of M78-5397 South 34 degrees 43'47" Wes, 35.32 feet; thence South 01 degrees 02'42" West 7.54 feet to the point of beginning, with bearings based on Foothill Boulevard.

Subject to the following:

1. 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.
2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Basin Improvement District.
4. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
5. Liens and assessments, if any, due to the City of Klamath Falls.
6. Right of way for electricity liens deeded by Edgar Turner and Mary Turner, husband and wife, to the California-Oregon Power Company, a California Corporation, dated October 23, 1953, recorded December 2, 1953 in Volume 264, page 283, Deed Records of Klamath County, Oregon.
7. Right of way easement for transmission and distribution of electricity, including the terms and provisions thereof, in favor of The California Oregon Power Company, dated October 22, 1953, recorded October 22, 1953 in Book 263, page 533, Deed Records of Klamath County, Oregon.
8. An easement created by instrument, including the terms and provisions thereof, dated September 11, 1973, recorded October 5, 1973 in Volume M73, page 13494, Microfilm Records of Klamath County, Oregon, in favor of Southern Oregon Broadcasting Co., doing business as Southern Oregon Cable TV.
9. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.

Dated: April 21, 1976  
 Recorded: April 23, 1976  
 Volume: M76, page 6035, Microfilm Records of  
 Klamath County, Oregon  
 Amount: \$36,000.00  
 Grantor: L.E. Lawson and Lana A. Lawson,  
 husband and wife  
 Trustee: William Ganong Jr.  
 Beneficiary: First Federal Savings and Loan  
 Association of Klamath Falls, Oregon  
 (Affects Parcels 1 and 2)

Partial Reconveyance filed December 23, 1981 in  
 Volume M81, page 21812, Microfilm Records of  
 Klamath County, Oregon, and re-recorded  
 December 28, 1981 in Volume M81, page 21893,  
 Microfilm Records of Klamath County, Oregon.

10. Agreement, including the terms and  
 provisions thereof, dated June 28, 1977 and  
 recorded August 8, 1977 in Volume M77, page  
 13858, Microfilm Records of Klamath County,  
 Oregon, by and between the City of Klamath  
 Falls, a municipal corporation of the State of  
 Oregon, as seller and Wallace V. Teuscher and  
 Asghar R. Sadri, as purchasers. Said Agreement  
 provides for assumption and release of liens  
 imposed by the City of Klamath Falls Sewer Unit  
 #46.

11. Trust Deed, including the terms and  
 provisions thereof, given to secure  
 an indebtedness with interest thereon and such  
 future advances as may be provided therein.

Dated: September 11, 1978

Recorded: October 10, 1978

Volume: M78, page 22595, Microfilm Records of  
 Klamath County, Oregon

Amount: \$27,500.00

Grantor: L.E. Lawson and Lana A. Lawson,  
 husband and wife

Trustee: William Sisemore

Beneficiary: Klamath First Federal Savings and  
 Loan Association

Partial Reconveyance filed December 23, 1981 in  
 Volume M81, page 21812, and re-recorded December  
 28, 1981 in Volume M81, page 21893, Microfilm  
 Records of Klamath County, Oregon.

12. Limited access provisions as contained in  
 Deed to Klamath County, dated October 21, 1981  
 and recorded December 23, 1981 in Volume M81,  
 page 21814, Microfilm Records of Klamath County,  
 Oregon.

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 EIGHTY TWO THOUSAND FIVE  
 HUNDRED and NO/100 DOLLARS allocated to the real property,  
 SELLER will convey to BUYERS 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.

Lana A. Lawson  
LANA A. LAWSON

STATE OF OREGON       )  
                                  ) ss.  
County of Klamath    )

On this 16<sup>th</sup> day of September, 1983, personally appeared the above named Lana A. Lawson and acknowledged the foregoing instrument to be her voluntary act and deed.

Janet Steele  
NOTARY PUBLIC for Oregon  
My Commission expires: 7/13/85  
Nancy Dee Pratt  
NANCY DEE PRATT

Doug J. Pratt  
DOUG J. PRATT

STATE OF OREGON       )  
                                  ) ss.  
County of Klamath    )

On this 16<sup>th</sup> day of September, 1983, personally appeared the above named Doug J. Pratt and Nancy D. Pratt and acknowledged the foregoing instrument to be their voluntary act and deed.

Janet Steele  
NOTARY PUBLIC for Oregon  
My Commission expires: 7/13/85

SELLER's name and address:

Lana A. Lawson  
20. 1st 1232

BUYER's name and address:

Doug J. Pratt  
Nancy Dee Pratt  
3812 Beverly Dr

After recording return to:

Mountain Title Company  
407 Main Street  
Klamath Falls, OR 97601

Mail tax statements to:

Doug J. Pratt  
Nancy Dee Pratt

STATE OF OREGON       )  
                                  ) ss.  
County of Klamath    )

for  
recorder's  
use

I certify that the within instrument was received for record on the 16<sup>th</sup> day of September, 1983, at 4:33 o'clock P.M., and recorded in book/reel/volume No. M 83 on page 16102 or as document/fee/file/ instrument/microfilm No. 28479 Record of Deeds of said county.

Evelyn Biehn                      Klamath County Clerk  
Name                                      Title

By Don Smith

Fee \$ 20.00