

THIS INDENTURE made and entered this 1st day of February, 1984, by and between ROBERT R. CLOUTIER and CAROLYN J. CLOUTIER, (hereinafter called SELLER), and an undivided one-fifth to RICHARD R. O'REILLY and CAROL ANN O'REILLY, husband and wife; an undivided one-fifth to WILLIAM L. LAMB and BERTHA B. LAMB, husband and wife; an undivided one-fifth to RAYMOND L. SMITH and MARY LOU SMITH, husband and wife; an undivided one-fifth to RAYMOND E. COLFAX and MARY JANE COLFAX, husband and wife; an undivided one-fifth to FRED W. KOEHLER, Jr. and RUTH A. KOEHLER, husband and wife; all dba SPRING CREEK "6.46, a partnership, hereinafter called PURCHASER);

WITNESSETH

WHEREAS, the parties have executed a document entitled "CONTRACT OF SALE", dated February 1, 1984, 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:

All that portion of the NE 1/4 of the SE 1/4 of Section 4, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying Easterly of the centerthread of Spring Creek and Westerly of Highway No. 97.

EXCEPTING THEREFROM the South 450 feet of the North 900 feet measured perpendicular to the North line of the NE 1/4 of the SE 1/4 of said Section 4.

ALSO EXCEPTING THEREFROM that portion deeded to the State of Oregon, by deed recorded May 29, 1946 in Book 190 at page 21, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM a tract of land situated in the NE 1/4 SE 1/4 of Section 4, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the East 1/4 corner of Section 4, Township 34 South, Range 7 East of the Willamette Meridian; thence South 05 degrees 16' 30" East 169.52 feet to a 5/8" iron pin on the Westerly right of way line of Highway 97; thence South 09 degrees 46' 38" West along said right of way line 284.86 feet; thence North 89 degrees 04' West parallel to the North line of said NE 1/4 SE 1/4 600 feet, more or less to the center thread of Spring Creek; thence Northwesterly along said center thread of Spring Creek to a point that bears North 89 degrees 04' West from the point of beginning; thence South 89 degrees 04' East 780 feet, more or less to the point of beginning, with bearings based on recorded survey No. 2480, as recorded in the office of the Klamath County Surveyor.

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. Rights of the public and of governmental bodies in and to any portion of the herein described premises lying below the high water mark of Spring Creek.
3. Limited access in Deed to State of Oregon, by and through its State Highway Commission, recorded May 9, 1946 in Book 190, page 21, Deed Records, which

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provides that no right or easement of right of access, to from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

4. Grant of Right of Way, including the terms and provisions thereof,

Dated: December 17, 1954

Recorded: January 26, 1955

Volume: 272, page 37, Deed Records of Klamath County, Oregon

In favor of: The California Oregon Power Company

For: Pole or tower and wire lines and other facilities

5. Right of way Easement, including the terms and provisions thereof,

Dated: February 4, 1980

Recorded: February 5, 1980

Volume: M80, page 2314, Microfilm Records of Klamath County, Oregon

In favor of: Pacific Power & Light Company

For: Electric transmission and distribution lines, and appurtenances

6. Real Estate Contract, including the terms and provisions thereof,

Dated: July 1, 1977

Recorded: July 22, 1977

Volume: M77, page 13119, Microfilm Records of Klamath County, Oregon

Vendor: Burnett Investment Company

Vendee: Robert F. Cloutier and Carolyn J. Cloutier, husband and wife

7. A 15 foot easement for the existing road that accesses the highway approximately 57' north of the South boundary and then meanders through the property more-or-less parallel to the highway.

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 FORTY FIVE THOUSAND and NO/100 DOLLARS allocated to the real property, SELLER will convey to PURCHASER the above described real property by Warranty Deed;

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A purchaser should check with the appropriate city or county planning department to verify approved uses.

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

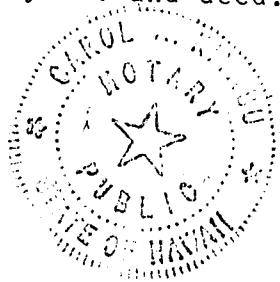
IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

X Robert R. Cloutier
ROBERT R. CLOUTIER

X Carolyn J. Cloutier - by Robert R. Cloutier
CAROLYN J. CLOUTIER *attorney-in-fact*

cal n.p. STATE OF ~~OREGON~~ HAWAII)
cal n.p. County of ~~Klamath~~ HONOLULU) ss.

On this 1st day of FEBRUARY, 1984, personally appeared the above named Robert R. Cloutier and Carolyn J. Cloutier and acknowledged the foregoing instrument to be their voluntary act and deed.



Carol A. Regal
NOTARY PUBLIC for ~~Oregon~~ HAWAII *cal n.p.*
My Commission expires: 9/9/84

Fred W. Koehler Jr.
as attorney in fact for
Richard R. O'Reilly
RICHARD R. O'REILLY

Fred W. Koehler Jr.
as attorney in fact for
Carol Ann O'Reilly
CAROL ANN O'REILLY

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STATE OF OREGON)
County of Klamath) ss.

On this 2nd day of March, 1984, personally appeared the above named FRED W. KOEHLER, JR. as attorney-in-fact for RICHARD R. O'REILLY & CAROL ANN O'REILLY and acknowledged the foregoing instrument to be their voluntary act and deed.

Fred W. Koehler Jr.
as attorney in fact for
William L. Lamb
WILLIAM L. LAMB

Kristi L. Bedd
NOTARY PUBLIC for Oregon
My Commission expires: 11/16/87

STATE OF OREGON)
County of Klamath) ss.

On this 2nd day of March, 1984, personally appeared the above named FRED W. KOEHLER, JR. as attorney-in-fact for WILLIAM L. LAMB and BERTHA B. LAMB and acknowledged the foregoing instrument to be their voluntary act and deed.

Fred W. Koehler Jr.
as attorney in fact for
Bertha B. Lamb
BERTHA B. LAMB

Kristi L. Bedd
NOTARY PUBLIC for Oregon
My Commission expires: 11/16/87

Fred W. Koehler Jr.
as attorney in fact for
Raymond L. Smith
RAYMOND L. SMITH

STATE OF OREGON)
County of Klamath) ss.

On this 2nd day of March, 1984, personally appeared the above named FRED W. KOEHLER, JR. as attorney-in-fact for RAYMOND L. SMITH and MARY LOU SMITH and acknowledged the foregoing instrument to be their voluntary act and deed.

Fred W. Koehler Jr.
as attorney in fact for
Mary Lou Smith
MARY LOU SMITH

Kristi L. Bedd
NOTARY PUBLIC for Oregon
My Commission expires: 11/16/87

Fred W. Koehler Jr.
as attorney in fact for
Raymond E. Colfax
RAYMOND E. COLFAX

STATE OF OREGON)
County of Klamath) ss.

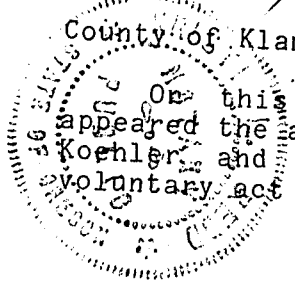
On this 2nd day of March, 1984, personally appeared the above named FRED W. KOEHLER, JR. as attorney-in-fact for RAYMOND E. COLFAX and MARY JANE COLFAX and acknowledged the foregoing instrument to be their voluntary act and deed.

Fred W. Koehler Jr.
as attorney in fact for
Mary Jane Colfax
MARY JANE COLFAX

Kristi L. Bedd
NOTARY PUBLIC for Oregon
My Commission expires: 11/16/87

Fred W. Koehler, Jr.
FRED W. KOEHLER, JR.
STATE OF OREGON)
County of Klamath) ss.

Ruth A. Koehler
RUTH A. KOEHLER



On this 2nd day of March, 1984, personally appeared the above named Fred W. Koehler, Jr. and Ruth A. Koehler, and acknowledged the foregoing instrument to be their voluntary act and deed.

Kristi L. Kidd
NOTARY PUBLIC for Oregon
My Commission expires: 11/16/87

SELLER's name and address:

Robert R. Cloutier
Carolyn J. Cloutier
Co. Rainbow Realty Suite 938
Pacific Trade Center
Honolulu, HI 96813
After recording return to:

PURCHASER's name and address:

Spring Creek "6.46"
P.O. Box 332
Chiloquin, OR 97624

Mountain Title Company
407 Main Street
Klamath Falls, OR 97601

Mail tax statements to:
Spring Creek "6.46"

STATE OF OREGON)
County of Klamath) ss.

for
recorder's
use

I certify that the within instrument was received for record on the 5th day of March, 1984, at 4:20 o'clock P.M., and recorded in book/reel/volume No. 184 on page 3460 or as document/fee/file/ instrument/microfilm No. 34151 Record of Deeds of said county.

Evelyn Biehn, Klamath County Clerk
Name Title

By Pam Smith

Fee: \$16.00