

MT 1-13489-K
MEMORANDUM OF CONTRACT

THIS INDENTURE, made and entered into this 23rd day of March, 1984, by and between CLYDE P. RAUL and PATRICIA R. RAUL, husband and wife, as to an undivided 1/2 interest and STEVEN C. RAUL and ELIZABETH KATHERINE RAUL, husband and wife, as to an undivided 1/2 interest, (hereinafter called SELLER), and WILLIAM LEONARD USHMAN and DEANA LYNN USHMAN, (hereinafter called BUYER);

WITNESSETH

WHEREAS, the parties have executed a document entitled "CONTRACT OF SALE", dated March 23, 1984, 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:

Lot 4, Block 5, TRACT NO. 1019, WINEMA PENINSULA, UNIT NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Subject to the following:

1. Reservations and restrictions as contained in plat dedication, to wit:
 - a. A 25 foot building setback line along the front of all lots, as shown on the annexed plat; a 20 foot building setback line along all side and back lot lines.
 - b. No access to the State Highways on Lots 1 through 8 of Block 5 except at an established access which exists on Lot 1, Block 5; no access to the State Highway on Lots 1 through 5 of Block 6; no access to the State Highways on Lots 2 through 7 and 10 of Block 4 as shown on the annexed plat.
 - c. A non-exclusive easement for the purpose of egress and ingress into the property immediately North of this plat across Lot 1 of Block 5 as shown on the annexed plat.
 - d. A 16 foot wide public utilities easement centered on all back and side lot lines for the construction and maintenance of public utilities, any construction thereon to be at the owners risk.
 - e. All wells and septic tanks to be subject to approval of the County Health Department.
 - f. A 60 foot wide right-of-way to be reserved centered on the lot line common to Lots 8 and 9 of Block 9 for the purpose of future roadway as shown on the annexed plat.
 - g. All easements and reservations of record.
2. A 25 foot building setback line from streets as shown on dedicated plat.
3. Reservations and restrictions as contained in Deed of Tribal Property, recorded February 27, 1959 in Volume 310, page 175, Deed Records of Klamath County, Oregon to wit:

"The above described land is subject to a right of way to Klamath Telephone and Telegraph Company for telephone and telegraph line, approved by John H. Edwards, Assistant Secretary of the Interior, on May 10, 1927, subject to the provisions of the Act of March 3, 1901, (21 Stat. 1058-1083); Departmental regulations thereunder;

and subject also to any prior valid existing right or adverse claim.

Title to the above described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record."

4. Agreement, including the terms and provisions thereof,

Dated: August 4, 1975

Recorded: October 6, 1975

Volume: M75, page 12294, Microfilm Records of Klamath County, Oregon

Vendor: Henry T. Holman

Vendee: James Allen Gore and Carolyn E. Gore, husband and wife

(Lots 4, 5 and 6, Block 5, Winema Peninsula Unit #2) 5. Real Estate Contract, including the terms and provisions thereof,

Dated: April 26, 1978

Recorded: September 26, 1978

Volume: M78, Page 21370, Microfilm Records of Klamath County, Oregon

Vendor: James Allen Gore and Carolyn E. Gore, husband and wife

Vendee: David Hartley (Lots 4, 5 and 6, Block 5, Winema Peninsula Unit #2) 6. Real Estate Contract, including the terms and provision thereof,

Dated: June 1, 1979

Recorded: August 7, 1979

Volume: M79, page 18767, Microfilm Records of Klamath County, Oregon

Vendor: David P. Hartley

Vendee: Clyde P. Raul and Patricia R. Raul, husband and wife

(Lots 4 and 5, Block 5, Winema Peninsula Unit #2) One-half of Vendee's interest in said Contract was assigned by instrument,

Dated: December 4, 1979

Recorded: December 11, 1979

Volume: M79, page 28463, Microfilm Records of Klamath County, Oregon

To: Steven C. Raul and Elizabeth Katherine Raul, husband and wife

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 SIX THOUSAND FIVE HUNDRED and NO/100 DOLLARS allocated to the real property, SELLER will convey to BUYER 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 buyer 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.

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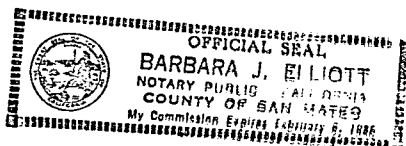
IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

Clyde P. Raul
CLYDE P. RAUL

Patricia R. Raul
PATRICIA R. RAUL

STATE OF OREGON)
County of Klamath) ss.

On this 31 day of March, 1984, personally appeared the above named Clyde P. Raul and Patricia R. Raul and acknowledged the foregoing instrument to be their voluntary act and deed.



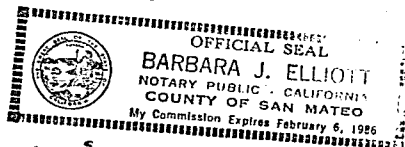
Barbara J. Elliott
NOTARY PUBLIC for Oregon
My Commission expires:

Steven C. Raul
STEVEN C. RAUL

Elizabeth Katherine Raul
ELIZABETH KATHERINE RAUL

STATE OF OREGON)
County of Klamath) ss.

On this 31 day of March, 1984, personally appeared the above named Steven C. Raul and Elizabeth Katherine Raul and acknowledged the foregoing instrument to be their voluntary act and deed.



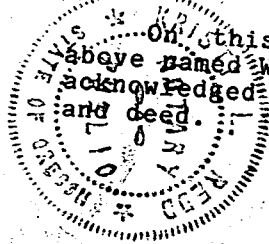
Barbara J. Elliott
NOTARY PUBLIC for Oregon
My Commission expires:

William Leonard Ushman
WILLIAM LEONARD USHMAN

Mrs. Deana Lynn Ushman
DEANA LYNN USHMAN

STATE OF OREGON)
County of Klamath) ss.

On this 28th day of March, 1984, personally appeared the above named William Leonard Ushman and Deana Lynn Ushman and acknowledged the foregoing instrument to be their voluntary act and deed.



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

SELLER's name and address:

Clyde P. & Patricia R. Raul
Steven C. & Elizabeth K. Raul
831 Fairgrounds Dr. #12
Sacramento, CA 95817

BUYER's name and address:

William Leonard Ushman
Deana Lynn Ushman
13463 Mt. Shasta
Reno, NV 89506-1417

After recording return to:

Mountain Title Company
407 Main Street
Klamath Falls, OR 97601

Mail tax statements to:

William Leonard Ushman
Deana Lynn Ushman
Same as Above

6041

STATE OF OREGON)
County of Klamath) ss.

for
recorder's
use

I certify that the within instrument
was received for record on the 12th day of
April, 1984, at 11:45
o'clock A.M., and recorded in
book/reel/volume No. M84 on page 6038 or
as document/fee/file/ instrument/microfilm
No. 35474 Record of Deeds of said county.

Evelyn Biehn, County Clerk
Name Title

By

Sam Smith

Fee: \$16.00

Return: MTC.