

## MEMORANDUM OF CONTRACT

THIS INDENTURE, made and entered into this 25<sup>TH</sup> day of April, 1984, by and between KENO CONSTRUCTION COMPANY, (hereinafter called SELLER), and R. J. McDONALD and LYNN DOWNIE, as joint tenants with right of survivorship and not as tenants in common, (hereinafter called BUYER);

## WITNESSETH

WHEREAS, the parties have executed a document entitled "CONTRACT OF SALE", dated April 25, 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 8, Block 1, TRACT NO. 1083, CEDAR TRAILS, in the County of Klamath, State of Oregon.

Subject to the following:

1. Rights of the public in and to any portion of said premises lying within the limits of public roads and highways, including public road dedication in Deed Book 46 at page 56, Book 46 at page 57, Book 46 at page 48, which contains reverter provisions.
2. Reservations for right of way for future pipe lines, truck roads and railroad contained in deed from Klamath County, Oregon, dated August 21, 1946, recorded August 21, 1946 in Book 194 at page 249, Deed Records. (Covers NW 1/4 SE 1/4 of Sec. 20)
3. Restrictions, set back provisions and utility easements, as delineated on the recorded plat, but omitting restrictions, if any, based on race, color, religion or national origin.
4. Covenants, easements and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms thereof,  
Recorded: July 3, 1978  
Book: M78 at page 14229
5. Easement to and from a well as disclosed by Quitclaim Deed recorded July 2, 1979 in Book M79 at page 15628, Microfilm Records, from Lucille Corbin to Klamath Development Company.

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 SIXTY FOUR THOUSAND 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.

*E.J. Shipsey*  
KENO CONSTRUCTION COMPANY  
By: E.J. Shipsey, President

STATE OF OREGON )  
County of Klamath ) ss.

On this 25<sup>TH</sup> day of April, 1984, personally appeared Lucille Corbin, who being duly sworn, did say that she is the attorney in fact for E.J. Shipsey, the President of Keno Construction Company, and that she executed the foregoing instrument by authority of and in behalf of said principal; and she acknowledged said instrument to be the act and deed of said principal.

*Susan C. Fatzke*  
NOTARY PUBLIC for Oregon  
My Commission expires: 11-2-86

*R.J. McDonald*  
R. J. McDONALD

*Lynn Downie*  
LYNN DOWNIE

STATE OF OREGON )  
County of Klamath ) ss.

On this 25<sup>TH</sup> day of April, 1984, personally appeared the above named R. J. McDonald and Lynn Downie and acknowledged the foregoing instrument to be their voluntary act and deed.

*Susan C. Fatzke*  
NOTARY PUBLIC for Oregon  
My Commission expires: 11-2-86

SELLER's name and address:

Keno Construction Company

PO Box 52  
Keno, OR 97627

\* After recording return to:

Keno Construction Company

PO Box 52  
Keno, OR 97627

BUYER's name and address:

R.J. McDonald  
Lynn Downie  
PO Box 1529  
Klamath Falls, OR 97601

Mail tax statements to:

R.J. McDonald  
Lynn Downie  
PO Box 1529  
Klamath Falls, OR 97601

STATE OF OREGON )  
County of Klamath ) ss.

for  
recorder's  
use

I certify that the within instrument was received for record on the 1st day of May, 1984, at 3:35 o'clock P.M., and recorded in book/reel/volume No. M84 on page 7285 or as document/fee/file/ instrument/microfilm No. 36180 Record of Deeds of said county.

EVELYN BIEHN KLAMATH COUNTY CLERK  
Name Title

By *Pam Smith*

Fee: \$8.00 -2-