

MEMORANDUM OF CONTRACT

Vol. M84 Page 18271

THIS INDENTURE, made and entered into this 23rd day of October, 1984, by and between HENRY J. CALDWELL, Jr. and DEBORAH L. CALDWELL, (hereinafter called SELLER), and RAY O. GANT and LAURA J. GANT, (hereinafter called BUYER);

WITNESSETH

WHEREAS, the parties have executed a document entitled "CONTRACT OF SALE", dated 10/23, 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:

Tract 49, PLEASANT HOME TRACTS, less the Northerly 45 feet thereof, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Subject to the following:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
3. Reservations and restrictions as contained in Deed dated September 25, 1939, recorded December 3, 1942 in Volume 151, page 417, Deed Records of Klamath County, Oregon, Charles W. Miller, et ux to D.B. Green, et ux, to wit:

"Subject, however to an easement for ditches and/or pipe lines to convey water for irrigation and domestic use for the benefit of adjoining property owners. Subject to the restriction that no dwelling house shall be placed upon said land to cost less than \$1,000.00; that each dwelling shall be finished in a workmanlike manner; shall be painted outside and shall be set back at least 30 feet from the property line on street."

4. 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: October 18, 1983

Recorded: October 18, 1983

Volume: M83, page 17959, Microfilm Records of Klamath County, Oregon

Amount: \$18,750.00

Grantor: Henry J. Caldwell, Jr. and Deborah L. Caldwell, husband and wife

Trustee: William Sisemore

Beneficiary: Klamath First Federal Savings and Loan Association

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 THIRTY SEVEN THOUSAND NINE 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.

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

Henry J. Caldwell, Jr.
HENRY J. CALDWELL, Jr.

Deborah L. Caldwell
DEBORAH L. CALDWELL

STATE OF OREGON)
County of) ss.

On this 23rd day of October, 1984, personally appeared the above named Henry J. Caldwell, Jr. and Deborah L. Caldwell and acknowledged the foregoing instrument to be their voluntary act and deed.

Pamela J. Spencer
NOTARY PUBLIC for Oregon
My Commission expires: 8/16/88

Ray O. Gant
RAY O. GANT, by Laura J. Gant
his Attorney in fact
STATE OF OREGON) ss.
County of Klamath)

Laura J. Gant
LAURA J. GANT

On this 23rd day of October, 1984, personally appeared the above named Laura J. Gant for herself and as Attorney in fact for Ray O. Gant and acknowledged the foregoing instrument to be her voluntary act and deed.

Pamela J. Spencer
NOTARY PUBLIC for Oregon
My Commission expires: 8/16/88

SELLER's name and address:

Henry J. Caldwell, Jr.
Deborah L. Caldwell
2319 Briarwood
Klamath Falls, OR 97601

BUYER's name and address:

Ray O. Gant
Laura J. Gant
1900 Ivory
Klamath Falls OR 97601

After recording return to:

Mountain Title Company
407 Main Street
Klamath Falls, OR 97601

Mail tax statements to:

Ray O. Gant
Laura J. Gant
no change

STATE OF OREGON)
County of Klamath) ss.

for
recorder's
use

I certify that the within instrument was received for record on the 24th day of October, 1984, at 9:34 o'clock A M., and recorded in book/reel/volume No. M84 on page 18271 or as document/fee/file/ instrument/microfilm No. 42526 Record of Deeds of said county.

EVELYN BIEHN, COUNTY CLERK

-2- by: Pam Smith, Deputy