

43393

MEMORANDUM OF LAND-SALE CONTRACT

Vol. MS4 Page 19640

November 13, 19 84,

KNOW ALL MEN BY THESE PRESENTS, that on

as vendor(s) and

MILTES A. SILVA

as vendee(s)

GARY D. CROWTHER as to an undivided one-half interest and

JOHN L. POUTOUS as to an undivided one-half interest

made and entered into a certain land-sale contract wherein said vendor(s) agreed to sell to said vendee(s) and the latter agreed to purchase from said vendor(s) the fee-simple title in and to the following described real property in

Klamath County, State of Oregon, to-wit:

Legal description attached on "Exhibit A-1 and A-2".

The true and actual consideration for the transfer, set forth in said contract, is \$ 315,000, payable \$ 100,000 down on the signing of said contract and the balance payable in ☐ monthly, ☐ quarterly, ☒ semi-annual, ☐ annual installments (indicate which) of not less than \$ 11,675.00 each; all deferred payments bear interest at the rate of 10 % per annum from the date of said contract until paid.

In Witness Whereof the said vendor(s) has executed this memorandum November 13, 19 84.

NOTE: The foregoing memorandum shall be recorded by the conveyor not later than 15 days after the 'land-sale contract' is executed and the parties are bound thereby. ORS 93.635.

STATE OF OREGON,

County of Klamath

November 13, 19 84.

Personally appeared the above named
MILTES A. SILVA BY AND THROUGH NEAL G.
BUCHANAN, HER ATTORNEY IN FACT, GARY D.
CROWTHER, and JOHN L. POUTOUS
and acknowledged the foregoing instru-
ment to be their voluntary act and deed.

(OFFICIAL
SEAL)

Notary Public for Oregon

My commission expires: 11/16/87

Miltes A. Silva & Neal Buchanan, Atty.
601 Main Street Suite 210
Klamath Falls, OR 97601

VENDOR'S NAME AND ADDRESS

John L. Poutous & Gary D. Crowther
4026 Hwy 78
Julian, CA 92036

VENDEE'S NAME AND ADDRESS

After recording return to:

Mountain Title Co.

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Same as Vendee

NAME, ADDRESS, ZIP

GARY D. CROWTHER

JOHN L. POUTOUS

MILTES A. SILVA BY AND THROUGH NEAL G.
BUCHANAN, HER ATTORNEY IN FACT

STATE OF OREGON, County of

November 13, 19 84.

Personally appeared _____, who, being duly sworn,

each for himself and not one for the other, did say that the former is the
president and that the latter is the
secretary of _____

and that the seal affixed to the foregoing instrument is the corporate seal
of said corporation and that said instrument was signed and sealed in be-
half of said corporation by authority of its board of directors; and each of
them acknowledged said instrument to be its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

(OFFICIAL
SEAL)

STATE OF OREGON

County of _____

I certify that the within instru-
ment was received for record on the
day of _____, 19 _____,

at _____ o'clock M., and recorded
in book _____ on page _____ or as

file/reel number _____
Record of Deeds of said county.

Witness my hand and seal of
County affixed.

Recording Officer

By _____

Deputy.

19641

PARCEL 1

Township 37 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

Section 2: that part of Section 2 lying Southwesterly of the Klamath Falls-Lakeview Highway No. 66, BUT EXCEPTING THEREFROM the parcel deeded to J. C. Harrison, et ux by deed recorded in Deed Volume 166 at page 293, ALSO EXCEPTING that part of the foot logging railroad right of way of Weyerhaeuser Company lying Northwesterly of a point which is North 19° 47' East 2,871.74 feet from the Southwest corner of said Section 2, and FURTHER EXCEPTING the 66' logging road right of way of Weyerhaeuser Company described in Deed Volume 324 at page 157, Records of Klamath County, Oregon, and FURTHER EXCEPTING that parcel conveyed from Owen R. Watts and Virginia M. Watts to Richard J. Smith by Warranty Deed dated September 21, 1971 and recorded September 22, 1971 in Deed Volume M71, page 10078.

Section 3: A portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ more particularly described as follows:

Beginning at a 5/8 inch iron pin in the Section line between Sections 3 and 10 from which the $\frac{1}{4}$ corner common to said Section 3 and 10, a brasscap, bears South 89° 43' 28" East 105.00 feet; thence North 08° 17' 00" East 465.00 feet to a 5/8 inch pin; thence North 57° 21' 00" East 2402.00 feet to a 5/8" iron pin; thence North 13° 01' 13" West 820.23 feet to a 5/8 inch iron pin; which is the Southwest corner of that parcel of land conveyed in Deed Volume 134 at page 419, Deed Records of Klamath County, Oregon; thence North to the EAST-WEST centerline of said Section 3; thence East along said centerline to the East line of said Section 3; thence South along said East line to the SE corner of Section 3; thence North 89° 43' 28" West along the South line of said Section 3 to the $\frac{1}{4}$ corner common to Sections 3 and 10; thence continuing along said South line of Section 3 North 89° 43' 28" West 105.00 feet to the point of beginning, EXCEPTING THEREFROM the 66 foot logging road right of way of Weyerhaeuser Company described in Deed Volume 324, page 157, Deed Records of Klamath County, Oregon. (SUBJECT TO: a 100 foot wide power line right of way, across the Northerly portion of the above-described property.) Basis of bearing is Survey numbers 1858 and 1933 as filed in the office of the County Surveyor of Klamath County, Oregon.

Section 10: The E $\frac{1}{4}$ NE $\frac{1}{4}$, BUT EXCEPTING THEREFROM THE 66 foot logging road of Weyerhaeuser Company described in Deed Volume 324 at page 157, Records of Klamath County, Oregon.

Section 11: The N $\frac{1}{4}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NE $\frac{1}{4}$, the NW $\frac{1}{4}$, the S $\frac{1}{4}$ N $\frac{1}{4}$ SW $\frac{1}{4}$, the S $\frac{1}{4}$ SW $\frac{1}{4}$, the NW $\frac{1}{4}$ SE $\frac{1}{4}$, the S $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 14: The N $\frac{1}{4}$ N $\frac{1}{4}$

PARCEL 2

Township 37 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

Section 2: A parcel of land located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 37 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the center line of Oregon State Highway No. 140, said point being Oregon State Highway Engineers Station 2226+82.00, said point being South 00° 57' West a distance of 504.00 feet and South 66° 45' East, a distance of 3510.00 feet from the Northwest corner of said Section 2; thence South 23° 15' West, a distance of 396.00 feet, to the true point of beginning; thence South 66° 45' East a distance of 300.00 feet; thence South 23° 15' West a distance of 200.00 feet; thence, North 66° 45' West, a distance of 300.00 feet; thence North 23° 15' East, a distance of 200.00 feet to the true point of beginning;

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TOGETHER with an easement and right of way for ingress and egress to said real property along and over the existing road that borders said property and begins at Oregon State Highway No. 140

Section 11: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
and the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

SDC RSB
JO

"EXHIBIT A-2"

19643

SUBJECT TO:

- 1) Contracts and/or liens for irrigation and/or drainage, the schedule of exclusions from coverage, together with any schedules contained in standard title policies, reservations, easements, restrictions and rights of way of record and those apparent on the land.
- 2) 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; in addition thereto a penalty may be levied if notice of disqualification is not timely given.
- 3) Right of Way Deed, dated September 7, 1934 by and between James O. Watts, unmarried, and the Secretary of the United States of America, for telephone and telegraph wires, recorded in Volume 104, page 29, Deed Records of Klamath County, Oregon. (Affects S½ of Section 2 and N½ of Section 1)
- 4) Grant Right of Way, dated June 14, 1938, by and between James O. Watts and Martha Marie Watts, his wife, and the California Oregon Power Company, a California corporation, for poles, wires and towers for transmission and distribution of electricity, recorded in Volume 119, page 393, Records of Klamath County, Oregon. (Affects NW¼ of Section 2)
- 5) Easements as contained in Deed recorded in Volume 166, page 293, Records of Klamath County, Oregon, as follows:

"the right to convey the water for the said rights through the ditches now existing over and across the lands of the grantors and to maintain the said ditches in serviceable conditions."

(Affects Portion of W½W½ of Section 2)
- 6) Easement Deed, by and between James O. Watts and Martha Watts, husband and wife, and The United States of America, acting by and through the Forest Service U.S.D.A., for telephone lines, recorded in Volume 254, page 446, Records of Klamath County, Oregon. (Affects S½S½SW¼ of Section 3)
- 7) Grant of Right of Way, by and between Owen R. Watts and Virginia M. Watts, husband and wife and Martha M. Watts, a widow, and The California Oregon Power Company, a California corporation, recorded in Volume 302, page 428, Records of Klamath County, Oregon, for pole and tower and wire lines. (Affects portion of N½N½ of Section 2, and N½S½ of Section 3)
- 8) Agreement, including the terms and provisions thereof, dated February 12, 1959 and recorded in Volume 311, page 379, Records of Klamath County, Oregon by and between Weyerhaeuser Timber Company, a Washington corporation and The California Oregon Power Company, a California corporation, for right to construct and maintain an electrical transmission line of 3 wires.

Supplemental Agreement, including the terms and provisions thereof, recorded in Volume 322, page 1, Records of Klamath County, Oregon.
(Affects NW¼SW¼ of Section 2)

ASB JF

- 9) Reservations as contained in Deed recorded in Volume M73, page 9928, Microfilm Records of Klamath County, Oregon, as follows:

"Subject to: A 100 foot powerline right of way across the Northerly portion of the above described property."
(Affects portion of N½SE¼ of Section 3 and other property.)

- 10) Right of Way Easement, including the terms and provisions thereof, recorded May 7, 1976 in Volume M76, page 6831, Microfilm Records of Klamath County, Oregon, granted to Pacific Power & Light Company, a corporation, for an easement for electric transmission and distribution line.
(Affects SE¼ of Section 3) *SDC*

BB
JD

STATE OF OREGON,)

County of Klamath)

Filed for record at request of

on this 20th day of Nov. A.D. 19 84
at 2:43 o'clock P M, and duly
recorded in Vol. M84 of Deeds
Page 19640

EVELYN BIEHN, County Clerk

By *Sam Smith*, Deputy

Fee 21.00