

56643

MTC 15755- Vol. 1485 Page 20828
MEMORANDUM OF CONTRACT

THIS INDENTURE, made and entered into this 23 day of December, 1985, by and between ANNETTE SITES (hereinafter called SELLER), and KENNISTON W. LORD, and NANCY F. LORD, (hereinafter called BUYER);

WITNESSETH

WHEREAS, the parties have executed a document entitled "CONTRACT OF SALE", dated 12/23, 1985, 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 34 in Block 2, TRACT NO. 1099, ROLLING HILLS, 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 Klamath Irrigation District.
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Basin Improvement District.

Subject to the terms and provisions of that certain instrument recorded July 24, 1970 in Book M70 at page 6187 as "Notice to persons intending to Plat Lands within the Klamath Basin Improvement District.

3. Reservations and restrictions, including the terms and provisions thereof, contained in Deed from the State of Oregon to Chas. S. Moore dated January 18, 1909, recorded January 30, 1909 in Book 25 at page 472, Deed Records of Klamath County, Oregon, as follows: "Subject to right of way for ditches, canals and reservoir sites for irrigation purposes constructed by the authority of the United States."

4. Reservations, restrictions and easements as contained on plat dedication, to wit:

"Said plat being subject to the following restrictions: (1) Building setback lines of 75 feet from the centerline of the street on which the lot fronts and 50 feet from the center line of the street on which the lot sides; (2) Public utilities easements 16 feet in width centered on all side and back lot lines; (3) One foot reserve strips (street plugs) as shown on the annexed plat to be dedicated to Klamath County and released by resolution of the County Commissioners when the adjoining property is properly developed; (4) All sanitary facilities subject to the approval of the Oregon Department of Environmental Quality; (5) Access to Reeder Road, a county road, is hereby vacated for Lot 5, Block 1 and Lot 7, Block 2; (6) Access to the proposed road adjacent to the North boundary of said "Rolling Hills" is hereby vacated for Lots 1, 9, 10, 11, 13, 14 and 15, Block 1 and all of Block 3; (7) Drainage easements as shown on the annexed plat."

'85 DEC 24 AM 9 37

5. Covenants, easements and restrictions, including the terms and provisions thereof, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms thereof recorded October 15, 1985 in Volume M74, page 13469, Microfilm records of Klamath County, Oregon.

6. Covenants, easements and restrictions, including the terms and provisions thereof, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms thereof recorded October 15, 1975 in Volume M74, page 13469 and amended October 1, 1975 in Volume M75, page 11919, all in Microfilm Records of Klamath County, Oregon.

7. 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: July 13, 1976
 Recorded: July 13, 1976
 Volume: M76, page 10564, Microfilm Records of Klamath County, Oregon

Grantor: Ronald W. Piel and Linda J. Piel, husband and wife

Trustee: William Ganong, Jr.
 Beneficiary: First Federal Savings and Loan Association of Klamath Falls, Oregon

Amount: \$30,950.00

8. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein,

Dated: March 28, 1979
 Recorded: March 29, 1979
 Volume: M79, page 6865, Microfilm Records of Klamath County, Oregon

Amount: \$15,000.00
 Mortgagor: Ronald W. Peil and Linda J. Peil
 Mortgagee: United States National Bank of Oregon

9. Change in vesting or in condition of title resulting from appeal or modification of decree.

Entered: December 9, 1985
 Suit No.: 85-501 DI, in the Circuit Court for Klamath County

Plaintiff: Annette Sites
 Defendant: Troy W. Sites

This exception will be removed if notice of appeal is not filed within 30 days after entry of said decree.

10. Reservations or exceptions in patents or in acts authorizing the issuance thereof.

11. Any encroachments, unrecorded easements, violations of covenants, conditions and restrictions, and any other matters which would be disclosed by a correct survey.

12. Proof that there are no parties in possession, or claiming to be in possession, other than above vestees.

13. Any statutory liens for labor or material, including liens for contributions due to the State of Oregon for unemployment compensation and for workmen's compensation, which have now gained or

hereafter may gain priority over the lien of the insured mortgage, which liens do not now appear of record.

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

Annette Sites
ANNETTE SITES

STATE OF OREGON)
County of Klamath) ss.

On this 13 day of December, 1985, personally appeared the above named Annette Sites and acknowledged the foregoing instrument to be their voluntary act and deed.

Kenniston W. Lord
KENNISTON W. LORD

Jane Stella
NOTARY PUBLIC for Oregon
My Commission expires: 7/14/89
Nancy F. Lord
NANCY F. LORD

STATE OF OREGON)
County of Klamath) ss.

On this 23d day of December, 1984, personally appeared the above named Kenniston W. Lord and Nancy F. Lord and acknowledged the foregoing instrument to be their voluntary act and deed.

Jane Stella
NOTARY PUBLIC for Oregon
My Commission expires: 7/14/89

20831

SELLER's name and address:

BUYER's name and address:

Annette Sites
6509 Sorrell Ct.
Klamath Falls Or 97603

Kenniston W. Lord, Jr.
Nancy F. Lord
6509 Sorrell Ct.
Klamath Falls Or 97603

After recording return to:

Mail tax statements to:

Mountain Title Company
407 Main Street
Klamath Falls, OR 97601

Kenniston W. Lord, Jr.
Nancy F. Lord
6509 Sorrell Ct.
Klamath Falls Or 97603

STATE OF OREGON)
County of Klamath) ss.

for
recorder's
use

I certify that the within instrument
was received for record on the ___ day of
_____, 19___, at _____
o'clock _____ M., and recorded _____ in
book/reel/volume No. _____ on page _____ or
as document/fee/file/ instrument/microfilm
No. _____ Record of Deeds of said county.

Name _____ Title _____

By _____

20832

December 23, 1985

THIS ADDENDUM ATTACHED HERETO AND MADE A PART HEREOF:

Buyer agrees to attempt to obtain a second mortgage in an amount sufficient to satisfy the following:

Mrs. Sites' debt to U.S. Bank for house repairs;
Mrs. Sites' debt to Forest Products Credit Union for satellite dish;
Our loan from Mrs. Sites for the balance;

and to assume the outstanding loan from Klamath First Federal Savings & Loan on the property. Time schedule for this will be within six months.

Kenneth W. Hoff
Nancy L. Bond
x Annette Sites

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 24th day
of December A.D., 19 85 at 9:37 o'clock A M., and duly recorded in Vol. 1985
of _____ Deeds on Page 20829.

FEE \$21.00

Evelyn Biehn, County Clerk
By *[Signature]*