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K-39245
MEMORANDUM OF AGREEMENT

Vol 1087 Page 708

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, LOWELL N. JONES, TRUSTEE OF THE CONSTANCE N. DIXON RESIDUARY TRUST, successor in interest to Constance N. Dixon, as seller, and WILLIAM R. OWENS and MARGARET H. OWENS, as buyers, have entered into an agreement in writing under date of January 5, 1987, amending that certain agreement of sale dated November 18, 1976, and covering the real property described on Exhibit A attached hereto and by this reference made a part hereof. A memorandum of the agreement of November 18, 1976, was duly recorded on January 10, 1977, in Volume M-77, Page 438, Deed Records of Klamath County, Oregon.

The consideration recited in the contract of November 18, 1976, is the sum of \$1,000,000.00. The amendment does not change the consideration for the intended transfer of seller's interest in said real property to buyers.

Dated this 5th day of Jan., 1987, ~~1986~~.

Lowell N. Jones
Lowell N. Jones, Trustee of
the Constance N. Dixon
Residuary Trust

STATE OF OREGON

County of KLAMATH }

ss.

Jan 5, 1987, ~~1986~~

Personally appeared the above-named LOWELL N. JONES, Trustee of the Constance N. Dixon Residuary Trust, known to me to be the identical person described in and who executed the foregoing Memorandum of Agreement and who acknowledged the foregoing instrument to be his voluntary act and deed for the use and purpose therein named.

Before me:

Herman F. Smith
NOTARY PUBLIC FOR OREGON
My commission expires 12-13-90

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A. REAL PROPERTY:

The following described real property in Klamath County, Oregon:
In Township 32 South, Range 7½ East of the Willamette Meridian:

Section 32: The South 550 feet of the SE¼; The South 550 feet of the SE¼SW¼

Section 33: The South 550 feet of the SW¼; The South 550 feet of the SW¼SE¼ and All the SE¼SE¼

Section 34: All that portion of the SW¼ and the SW¼SE¼ lying Westerly of the following described line:

Beginning at a point on the South line of the SW¼SE¼ of said Section 34, said point being 2578.0 feet North and 2239.1 feet West of the quarter corner common to Sections 2 and 3, Township 33 South, Range 7½ East of the Willamette Meridian; thence along said line North 32° 41' West, 189.5 feet; thence North 44° 24' West, 413.0 feet more or less to a point on the West line of said SW¼SE¼; said point also being 2232.7 feet South and 2693.3 feet East of the quarter corner common to Sections 33 and 34, Township 32 South, Range 7½ East of the Willamette Meridian; thence North 40° 16' West, 261.6 feet; thence North 44° 21' West, 124.6 feet; thence North 57° 07' West, 99.7 feet; thence North 47° 58' West, 76.5 feet; thence North 40° 56' West, 191.3 feet; thence North 36° 35' West, 186.8 feet; thence North 33° 07' West, 98.3 feet; thence North 26° 13' West, 82.2 feet more or less to a point on the North boundary of the SE¼SW¼, said point being 1388.2 feet South and 1970.0 feet East of the quarter corner common to Sections 33 and 34, said Township and Range; thence North 10° 40' West, 102.1 feet; thence North 20° 39' West, 227.6 feet; thence North 39° 26' West, 397.4 feet; thence North 47° 59' West, 334.7 feet more or less to a point on the West boundary of the NE¼SW¼, said point being 543.9 feet South and 1369.7 feet East of said quarter corner between sections 33 and 34; thence North 37° 07' West, 188.6 feet; thence North 33° 09' West, 130.5 feet; thence North 26° 13' West 324.7 feet more or less to a point on the North boundary of the NW¼SW¼, said point also being 7.1 feet North and 1041.1 feet East of the quarter corner common to Sections 33 and 34, Township 32 South, Range 7½ East of the Willamette Meridian.

In Township 33 South, Range 7½ East of the Willamette Meridian:

Section 3: Government Lots 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17 and 18, EXCEPTING THEREFROM all that portion of Lot 2, 7, 8 and 11, lying Easterly of the following described line:

Beginning at a point on the South Boundary of said Lot 8, said point being 43.9 feet South and 1004.3 feet West of the quarter corner common to Sections

2 and 3, said Township and Range; thence North 20° 48' West, 120.0 feet; thence North 25° 30' West 191.4 feet; thence North 5° 04' West, 129.0 feet; thence North 1° 19' East, 134.7 feet; thence North 9° 38' West, 163.2 feet; thence North 18° 16' West, 223.0 feet; thence North 28° 06' West, 256.7 feet; thence North 36° 37' West, 233.0 feet; thence North 38° 08' West, 207.5 feet; thence North 44° 36' West, 200.8 feet; thence North 26° 20' West, 186.0 feet; thence North 49° 19' West, 173.6 feet; thence North 23° 06' West, 173.8 feet; thence North 14° 49' West, 360.6 feet; thence North 27° 37' West, 217.7 feet, more or less to a point on the North boundary of said Lot 2, Section 3, Township 33 South, Range 7½ East of the Willamette Meridian.

AND FURTHER EXCEPTING THEREFROM all that portion of Lots 17 and 18 of said Section 3, more particularly described as follows:

Beginning at the Southeast corner of Lot 19, being the corner common to Lots 17, 19, 24 and 25; thence North along the East line of Lot 19 and its Northerly extension thereof to the center thread of the Wood River; thence Easterly and Southerly upstream along said center thread to the East line of Lot 18; thence South along said East line to the Southeast corner of Lot 18; thence West along the South line of Lot 18 and the most Southerly line of Lot 17 to the point of beginning.

Section 4:

Government Lots 1 through 19, both inclusive and Government Lots 22 and 23.

Section 5:

Government Lot 3; SE¼NW¼; All that portion of the SW¼ lying Northerly of the State Highway; The SE¼.

Section 9:

Government Lot 7, EXCEPTING THEREFROM any portion of said Lot 7 described in Deed recorded May 5, 1932 in Deed Volume 97 at page 412, Klamath County Deed Records, more particularly described as follows:

Beginning at the Southeast corner of Lot 7; thence North along the East line thereof, 574 feet; thence West 524 feet to the County Road; thence Southeasterly along the Easterly line of said County Road to the Southerly line of Lot 7; thence East along said Southerly line to the point of beginning.

ALSO EXCEPTING THEREFROM any portion of the above described tract lying Westerly of the Easterly right of way of the State Highway.

All that portion of Government Lot 12 described as follows:

Beginning at the Southeast corner of said Lot 12; thence North 0° 20' East, along the Easterly line thereof, 594.88 feet to the centerline of the Wood River Ditch; thence South 35° 44' West along said centerline, 648.78 feet to the Easterly right of way of the Crater Lake Highway; thence South 18° 26' East, along said right of way, 85.80 feet to the Southerly line of Lot 12; thence along said Southerly line North 89° 42' East, 348.48 feet to the point of beginning.

Government Lot 13; EXCEPTING THEREFROM any portion of said Lot 13 described as follows:

Beginning at the Northwest corner of said Lot 13; thence South 0° 20' West along the West line thereof, 729.30 feet to the centerline of the Wood River Ditch; thence North 37° 37' East, along said centerline, 914.76 feet to the North line of Lot 13; thence South 89° 46' West along said North line, 559.68 feet to the point of beginning.

Section 10:

Government Lots 20 and 21 and all that portion of Government Lot 22 lying Westerly of the Westerly right of way of the State Highway.

Section 15:

Government Lots 2, 9, 10, 14, 15, 16, 17 and 18, EXCEPTING THEREFROM any portion of the above described lots lying Easterly of the Westerly right of way of the State Highway.

The E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; The E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 16:

Government Lot 5.

Section 22:

The E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$; The E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$; EXCEPTING THEREFROM that parcel of land described in Warranty Deed recorded June 13, 1960 in Deed Volume 322 at page 55, Klamath County Deed Records; being the East 510 feet of that portion of the E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section lying Southerly of the State Highway.

EXCEPTING THEREFROM any portion of all the above described parcels of land lying within the rights of way of State Highway #62, State Highway #232 and County Road #624 (Dixon Road).

Note: Where the context of the above description requires, the lottings refer to those shown on Government Land Office Special Plat of the Fort Klamath abandoned Military and Hay Reservations in Township 33 South, Range 7 $\frac{1}{2}$ East of the Willamette Meridian approved by the Surveyor General's Office May 22, 1901.

Return to:
H.F. Bud Smith
540 Main Street
Klamath Falls, OR. 97601

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

on this 15th day of January A.D. 19 87
at 2:54 o'clock P M. and duly recorded
in Vol. M87 of Deeds Page 708
Evelyn B. Ehn County Clerk
By Deborah A. Deitch
Deputy.

Fee, \$17.00