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Vol. m89 Page 17188

MTC 21185-K

Vol. m89 Page 18919

Until a change is requested all tax statements shall be sent to the following address: Rod J. & Cynthia M. Owens
8280 Hill Rd., Klamath Falls, OR 97603

6107

MEMORANDUM OF CONTRACT

KNOW ALL MEN BY THESE PRESENTS, that on the 8th day of September, 1989, WILLIAM/MERRILL and PAULINE L. MERRILL, husband and wife, appearing therein as Sellers, entered into a contract to sell real property with ROD J. OWENS and CYNTHIA M. OWENS, husband and wife, as Buyers, for the sale of the following described real estate situated in the County of Klamath, State of Oregon, to-wit:

See Exhibit "A"

That the Buyers in said contract agreed to pay Sellers the sum of \$140,000.00 for said real property, and said sum is the true and actual consideration for said sale.

SELLER

BUYER

William J. Merrill
Pauline L. Merrill

Rod J. Owens
Cynthia M. Owens

STATE OF OREGON)
) ss.
 County of Klamath)

Before me this 8th day of September, 1989, personally appeared the above-named Seller, and acknowledged the foregoing instrument to be their voluntary act and deed.

(S E A L)

Kristi L. Redd
 Notary Public for Oregon
 My Commission Expires: 11/16/91

STATE OF OREGON)
) ss.
 County of Klamath)

Before me this 11th day of September, 1989, personally appeared the above-named Buyer, and acknowledged the foregoing instrument to be his voluntary act and deed.

(S E A L)

Kristi L. Redd
 Notary Public for Oregon
 My Commission Expires: 11/16/91

THIS INSTRUMENT IS BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION.

UPON RECORDING FORWARD ORIGINAL TO:
 MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY

'89 SEP 12 PM 4 03

'89 OCT 6 AM 9 27

W.J.M.
 P.L.M.
 CMO
 HO

EXHIBIT "A"

PARCEL 1

Lot 2, ALTAMONT SMALL FARMS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2

A parcel of land located in the SW1/4 NW1/4 of Section 15, Township 39 South, Range 9 East of the Willamette Meridian, being a portion of Lot 1 of Altamont Small Farms, Klamath County, Oregon and being more particularly described as follows:

Beginning at a point on the Northerly line of Lot 1 of Altamont Small Farms from which the Northwest corner of said Lot 1 bears North 88 degrees 46' 35" West 180.00 feet; thence South 88 degrees 46' 35" East 453.43 feet to the Northeast corner of said Lot 1, thence South 00 degrees 11' 00" West 310.06 feet to the Southeast corner of said Lot 1; thence, along the Southerly line of said Lot 1, North 88 degrees 46' 35" West 453.43 feet; thence North 00 degrees 11' 00" East 310.06 feet to the point of beginning.

SUBJECT TO THE FOLLOWING EXCEPTIONS AND EXCLUSIONS:

1. Liens and assessments of Klamath Project and Klamath Irrigation district, and regulations, easements contracts, water and irrigation rights in connection therewith.
2. Any unpaid charges or assessments of Klamath Irrigation District.
3. Rules, regulations and assessments of South Suburban Sanitary District.
4. Reservations contained in deed from R. H. Ellis and Blanche Day Ellis, his wife, to F.L. Weaver and Elsie H. Weaver, husband and wife, dated August 21, 1937, recorded October 28, 1943, in Volume 159 page 374, Deed records of Klamath County, Oregon as follows: "Subject to all contracts with United States of America, Klamath Water Users Association, and Klamath Irrigation District, relative to the reclamation and irrigation of said land, and all rights of way heretofore granted on in use for roads, ditches and canals and easements theretofore, and reserving to the grantors an easement and right of way for the purpose of constructing and maintaining an irrigation ditch along the boundary line of lines of the land hereinbefore described".
5. Easement, including the terms and provisions thereof, from William T. Merrill and Pauline L. Merrill, husband and wife, to Oregon Water Corporation, a public utility of the State of Oregon, dated May 22, 1976, recorded May 28, 1976 in Volume M76 page 7939, Deed records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 12th day of Sept. A.D., 19 89 at 4:03 o'clock PM., and duly recorded in Vol. M89 of Deeds on Page 17188

FEE \$13.00

Evelyn Biehn - County Clerk

By Pauline M. Mendenhall

INDEXED

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 6th day of Oct. A.D., 19 89 at 9:27 o'clock AM., and duly recorded in Vol. M89 of Deeds on Page 18919

FEE \$10.00

Evelyn Biehn - County Clerk

By Pauline M. Mendenhall