

K-42003

MEMORANDUM OF REAL ESTATE CONTRACT

SELLER: WAYNE CUNNINGHAM hereby agrees to sell,

PURCHASER: WILLIAM D. McCABE and LINDA J. McCABE, husband and wife, hereby agree to purchase,

PROPERTY: See Exhibit "A," attached hereto and incorporated herein.

TERMS: Pursuant to the terms of a Real Estate Contract of this date.

CONSIDERATION: The true and actual consideration for this conveyance is \$135,000.00.

DATED: February 14th, 1990

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Wayne Cunningham
NOTARY
SELLER

STATE OF OREGON
County of Klamath
OF OREGON

)
) ss.

The foregoing instrument was acknowledged before me on this 14th day of February, 1990, by Wayne Cunningham.

STATE OF OREGON
County of Klamath

)
) ss.

The foregoing instrument was acknowledged before me on this 26th day of February, 1990, by William D. McCabe and Linda J. McCabe, husband and wife.

PUBLIC
KALI:pk/vap
0613006:260

Notary Public for Oregon
My Commission Expires: 12-19-92

Notary Public for Oregon
My Commission Expires: 12-19-92

AFTER RECORDING,
RETURN TO:

UNTIL A CHANGE IS REQUESTED, ALL
TAX STATEMENTS SHALL BE SENT TO:

Farm Credit Services
PO Box 148
Klamath Falls, OR 97601

William and Linda McCabe
2219 Washburn Way
Klamath Falls, OR 97603

1 - MEMORANDUM OF REAL ESTATE CONTRACT

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Exhibit A

The West half of the Northwest quarter of Section 16 Township 39 South of Range 10 East of the Willamette Meridian, saving and excepting therefrom that portion of the Southwest quarter of the Northwest quarter lying Southerly of the O.C. & E. Railroad, and also saving and excepting therefrom that portion of the NW1/4 NW1/4 lying Northerly of the Klamath Falls-Lakeview Highway.

The SE1/4 NW1/4 and all that portion of the NE1/4 NW1/4 lying Southerly of the Klamath Falls-Lakeview highway, and all that portion of the NE1/4 SW1/4 lying Northerly of the O.C. & E. Railroad, all in Section 16 Township 39 South of Range 10 East of the Willamette Meridian.

Also beginning at the Northeast corner of the NW1/4 SW1/4 of Section 16 thence Southerly to the Northerly line of the right-of-way of the Oregon, California & Eastern Railway (sometimes referred to as Klamath Falls Municipal Railway) thence Northwesterly along said right-of-way to the intersection with the South line of the SW1/4 NW1/4 of said Section 16; thence Easterly along the North line of the said NW1/4 SW1/4 to the place of beginning, and being that portion of the said NW1/4 SW1/4 lying Northerly of said Railway right-of-way.

Also a piece or parcel of land in the SW1/4 SW1/4 of Section 9 Township 39 South, Range 10 East of the Willamette Meridian, more fully described as follows: Beginning at the section corner common to Sections 8, 9, 16 and 17 of the said Township and Range; and running thence North 0 degrees 40' East along the section line between the said Sections 8 and 9, 240 feet, more or less, to the Southwesterly boundary of the right of way of the present Klamath Falls-Lakeview Highway; thence Southeasterly along the said boundary 425 feet, more or less, to its intersection with the section line between the said Sections 9 and 16; thence North 89 degrees 33' West, along the last mentioned section line 357 feet, more or less, to the said point of beginning.

Saving and excepting therefrom that portion conveyed for railroad purposes.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 21st day of March A.D., 19 90 at 3:01 o'clock PM. and duly recorded in Vol. M90 of Deeds on Page 5221.

Evelyn Biehn County Clerk

By Pauline Mulvender

FEE \$33.00