

38874

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UNTIL A CHANGE IS REQUESTED, SEND TAX STATEMENTS TO:

Alan E. Harnsberger and Helen M. Noonan-Harnsberger
9848 Spring Lake Road
Klamath Falls OR 97603

AFTER RECORDING RETURN TO:

Klamath County Title Company
PO Box 151
Klamath Falls OR 97601

K-43687

This space provided for recorder's use.

MEMORANDUM OF CONTRACT OF SALE AND SECURITY AGREEMENT - REAL ESTATE

DATED: December 18, 1991

BETWEEN SELLER: Alida B. Coleman who took title as Alida M. Coleman, Charles A. Brandt and Ruth Brandt-Miller, each as to an undivided one-third interest, all as tenants in common

AND BUYER: Alan E. Harnsberger and Helen M. Noonan-Harnsberger, husband and wife

Pursuant to a Contract of Sale dated December 18th, 1991, Seller agreed to sell to Buyer and Buyer agreed to purchase from Seller fee simple title in and to real property and personal property located thereon in the County of Klamath, State of Oregon. The real property is described in the attached and incorporated Exhibit 1.

Real property tax account numbers are: 3909-3400-900 and 3909-3400-1000.

Seller retains legal title as security.

The true and actual consideration for the transfer, set forth in the Contract, is \$150,000, which includes personal property.

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.

"Seller"

Alida B. Coleman 12/18/91
Alida B. Coleman Date

By: Ruth L. Brandt-Miller
Ruth L. Brandt-Miller, Attorney in Fact

Charles A. Brandt 12/18/91
Charles A. Brandt Date

By: Ruth L. Brandt-Miller
Ruth L. Brandt-Miller, Attorney in Fact

Ruth L. Brandt-Miller 12/18/91
Ruth L. Brandt-Miller Date

26515

"Buyer"

Alan E. Harnsberger

Date

12-19-91

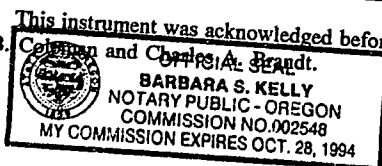
Helen M. Noonan-Harnsberger

Date

12/19/91

STATE OF OREGON, County of Washington) ss.

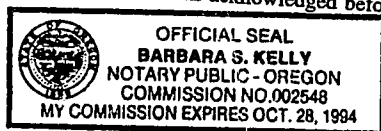
This instrument was acknowledged before me on December 18, 1991 by Ruth Brandt-Miller as Attorney in Fact for Alida B. Coleman and Charles A. Brandt.



Barbara S. Kelly
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/28/94

STATE OF OREGON, County of Washington) ss.

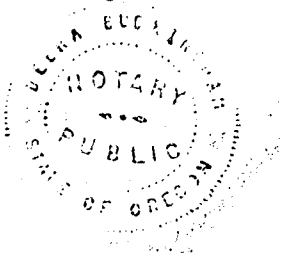
This instrument was acknowledged before me on December 18, 1991 by Ruth Brandt-Miller.



Barbara S. Kelly
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/28/94

STATE OF OREGON, County of Clatsop) ss.

This instrument was acknowledged before me on December 19, 1991 by Alan E. Harnsberger and Helen M. Noonan-Harnsberger.



Deborah Buckingham
NOTARY PUBLIC FOR OREGON
My Commission Expires: 12-19-92

The following described real property situate in Klamath County, Oregon:

Beginning at the Northeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, Twp. 39 S.R. 9 E.W.M., thence South along the Section line 22.50 chains; thence Westerly at right angles with said Section line 20 chains; thence Northerly and parallel with the Section line aforesaid 22.50 chains, and thence Easterly 20 chains to the point of beginning, being the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and five acres off the North end of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 34, Twp. 39 S.R. 9 E.W.M., SAVING AND EXCEPTING a ditch right of way over said property deeded to R. P. Breitenstein, by deed recorded in Book 55, at page 435, Deed Records of Klamath County, Oregon.

ALSO all that portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Twp. 39 South, Range 9 E.W.M., in Klamath County, Oregon, described as follows: Beginning at a point in the East line of said Section 34, 1725 feet North of the Southeast corner of said Section; thence North 88° West 1006.4 feet; thence through the arc of a 40° curve right 66.5 feet to a point bearing North 74°42' West 66.5 feet; thence North 61°23' West 202.5 feet; thence through the arc of a 40° curve right 143.8 feet to a point bearing North 32°38' West 140.6 feet; thence North 3°53' West 72.4 feet to a point in the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section from which the quarter corner common to Sections 34 and 35, said Township and Range, bears North 66°28' East 1449 feet; thence North along the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 34, 400 feet, more or less, to a point 165 feet South of the Northwest corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 34, thence East parallel with the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 34, 1320 feet, more or less, to the East line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 34; thence South 750 feet, more or less, to the point of beginning. LESS AND EXCEPTING $\frac{1}{4}$ of the County road along the West side of the herein described tract, $\frac{1}{4}$ of the right of way of the U.S.R.S. C-4 canal, and a strip of land one rod wide off the East side of the herein described tract heretofore deeded to the Klamath Irrigation District.

EXHIBIT 1
PAGE 1 OF 1

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title co. the 20th day
of Dec. A.D. 19 91 at 8:46 o'clock AM., and duly recorded in Vol. M91
of Deeds on Page 26514.

Evelyn Biehn County Clerk
By Pauline Mueller

FEE \$38.00