

MEMORANDUM OF CONTRACT

By a separate contract in writing dated September __, 1989, E. SUSAN FLURY, transferor, has sold to DARRELL JOSEPH SMITH and SHERRIE LYNN SMITH, husband and wife, transferees, all transferor's interest in and to the following described real property situated in Klamath County, Oregon:

PARCEL 2: A parcel of land lying in the NE 1/4 of Section 36 Township 24 South, Range 8 EWM, and being a portion of that property described in that certain deed to State of Oregon, by and through its State Highway Commission, recorded in Deed Volume 252 Page 172, Deed Records of Klamath County, Oregon; the said parcel being that portion of said property lying Southeasterly of a line which is parallel to and 100 feet Southeasterly of the center line of the relocated The Dalles-California Highway, which center line is described as follows: Beginning at Engineer's center line Station 42+00, said Station being 125 feet North and 298 feet West of the East quarter corner of said Section 36, thence South 25°50' West, 1000 feet to Station 52+00, said parallel line crosses the Northeasterly and Southwesterly lines of said property approximately opposite center line Station 46+30 and 47+30, respectively.

SUBJECT TO: Restrictions, easements, rights of way and reservations of record together with all existing rights of way and easements.

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.

The true and actual consideration paid for the above described transfer stated in terms of dollars is \$15,500.00.

Unless a change is requested all tax statements shall be sent to the transferee at the following address: P.O. Box 251, Crescent, Oregon 97733.

DATED this 25TH day of September, 1989.

TRANSFEROR:

E. Susan Flury
E. SUSAN FLURY

Darrell Joseph Smith
DARRELL JOSEPH SMITH

Sherrie Lynn Smith
SHERRIE LYNN SMITH

STATE OF OREGON, County of DOUGLAS ss.

Personally appeared the above named E. SUSAN FLURY, and acknowledged the foregoing instrument to be her voluntary act and deed.

Suzanne M. Conner
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-15-90

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Sherrie Smith the 31st day
of January 92 at 11:56 o'clock A.M., and duly recorded in Vol. M92
of Deeds on Page 2138

Evelyn Biehn, County Clerk
By Suzanne M. Conner

FEE \$ 28.00

Return: Sherrie Smith
P.O. Box 251, Crescent, Or. 97733