61087

## MEMORANDUM OF CONTRACT OF SALE

DATED:

May 1, 1993

BETWEEN:

CHESTER H. HAMAKER and MARIE K. HAMAKER, as Trustees of

the Hamaker Family Trust.

("Seller")

AND:

PAUL CARNEY and PATRICIA CARNEY, Husband and Wife,

("Purchaser")

Pursuant to a Contract of Sale dated May 1, 1993, Seller sold to Purchaser Seller's interest in that certain property in Klamath County, Oregon, more particularly described in the attached Exhibit If not earlier paid, all amounts owed under the Contract of Sale shall be due and payable on June 1, 2013. The true and actual consideration for this conveyance is \$275,000.00.

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 ANY INTEREST IN OR TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Until a change is requested, all tax statements shall be sent to the following address: Paul Carney and Patricia Carney, 330 N. 11th, Klamath Falls, Oregon 97601.

Property Tax Account Nos. 3809-029DD-9100 and 3809-029DD-9200

IN WITNESS WHEREOF, the parties have caused this memorandum to be executed as of the day and year first above written.

Seller:

Chester H. Hamaker

Purchaser:

Paul Carney

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Return: Wm. M. Ganong 635 Main St Klamath Falls, Or. 97601 STATE OF OREGON ) ) ss County of Klamath )

This instrument was acknowledged before me on May  $\frac{4}{2}$ , 1993, by Chester H. Hamaker and Marie K. Hamaker.

OFFICIAL SEAL
WM. M. GANONG
NOTARY PUBLIC-OREGON
COMMISSION NO. 022727
KY COMMISSION PRINES APR. 6, 1997

NOTARY PUBLIC FOR OREGON

My commission expires: 4-6-97

STATE OF OREGON

SS

County of Klamath

This instrument was acknowledged before me on May  $\frac{4}{2}$ , 1993, by Paul Carney and Patricia Carney.

OFFICIAL SEAL
WM. M. GANONG
NOTARY PUBLIC-OREGON
COMMISSION NO. 022727
NY COMMISSION EXPIRES APR. 8, 1997

NOTARY PUBLIC FOR OREGON
My commission expires: 4-6-97

After recording return to: William M. Ganong, 635 Main Street, Klamath Falls, OR 97601

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## EXHIBIT A

Property situated in Klamath County, State of Oregon, and described as follows:

Commencing at the SW corner of Lot 5, Block 45, NICHOLS ADDITION to Linkville (now City of Klamath Falls, Oregon); thence northwesterly 40 feet along the easterly line of Tenth Street; thence northeasterly, at right angles to Tenth Street, 66.83 feet to the easterly line of said Lot 5, being the point of beginning; thence northwesterly, parallel with Tenth Street, 40 feet; thence southwesterly, at right angles to Tenth Street, 1.83 feet; thence southeasterly, parallel to Tenth Street, 40 feet; thence northeasterly, at right angles to Tenth Street, 1.83 feet to the point of beginning.

## and also:

Part of Lot 5, Block 45, NICHOLS ADDITION to Klamath Falls, Oregon, described as follows: Beginning at a point 160 feet northwesterly along the northeasterly side of 10th Street in Nichols Addition to the City of Klamath Falls, Oregon, from the corner of 10th and High Streets in said Nichols Addition; running thence at right angles 65 feet; thence at right angles in a northwesterly direction 40 feet; thence at right angles in a southwesterly direction 65 feet to Tenth Street; thence at right angles in a southwesterly direction along 10th Street 40 feet to the place of beginning.

Also commencing at the southwesterly corner of Lot 5, Block 45, Nichols Addition to Linkville (now City of Klamath Falls, Oregon); thence northwesterly along the easterly line of 10th Street 40 feet; northeasterly at right angles to 10th Street 66.83 feet to the easterly line of said Lot 5, being the point of beginning; thence northwesterly parallel with 10th Street 10 feet; thence northeasterly at right angles to 10th Street 66.83 feet to the easterly line of Lot 6 of said Block; thence southeasterly parallel with 10th Street 10 feet; thence southwesterly parallel with High Street 66.83 feet to the point of beginning.

Lot "C" and the Northerly 40 feet of Lot "D" of the resubdivision and supplemental plat of Lots 1, 2, 7 and 8 of Block 45 of NICHOLS ADDITION to the City of Klamath Falls, Oregon; and

Beginning at a point on the Westerly line of Lot 5 of Block 45 of NICHOLS ADDITION to Linkville (now City of

Klamath Falls) Oregon, 112.14 feet Southerly from the Northwesterly corner of said Lot; thence Northeasterly and parallel with High Street 65 feet to the Easterly line of said Lot; thence Northwesterly along the Easterly line of said Lot 25 feet; thence Southwesterly and parallel with High Street, 65 feet to the Westerly line of said Lot 5; thence Southeasterly along the Westerly line of said Lot to the place of beginning.

Also, a portion of Lot 6 in Block 45 in NICHOLS ADDITION to the City of Klamath Falls, Oregon 70 feet deep, measured on line between Lots 5 and 6 of said Block and the full width of said Lot 6, to-wit: 66.83 feet wide by the Supplemental plat of said Addition, said Tract being further described as follows: Southeasterly along the line between Lots 5 and 6 of said Block 45 from the Southerly line of Washington (formerly Canal) Street; thence Northeasterly at right angles to said line between Lots 5 and 6, 66.83 feet, more or less, to the Easterly line of said Lot 6; thence Southeasterly along said line of Lot 6, 70 feet; thence Southwesterly at right angles to said Easterly line of Lot 6, 66.83 feet, more or less, to the Westerly line of said Lot 6; thence Northwesterly along said Westerly line 70 feet to the place of beginning. TOGETHER WITH an easement for private driveway over and across a strip of land 10 feet wide (measured on Washington Street) and running along the Easterly line of that portion of said Lot 6, Block 45, lying Northerly of the portion herein conveyed. Also, an easement for sewer from the portion of land herein conveyed to connect sewer with the sewer on the portion of Lot 6 aforesaid lying Northerly of the tract

The above said property is conveyed subject to: Rights of the public in and to any portion of the property lying within the limits of streets, roads or highways; easements and rights of way of record and those apparent on the land; regulations, conditions, covenants, reservations and restrictions of record.

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STATE OF OREGON.
County of Klamath

Filed for record at request of:

	Wi	n. M. Gan	ong			
at _	11:52 =	_ day of	May	A.D.,	19	93
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Fee.	\$45.00				D	COLON

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WITHDRAWN

5-6-93

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