

78752

K-45904

MEMORANDUM OF REAL PROPERTY PURCHASE AND SALE RESTRUCTURE AGREEMENT

PARTIES: Bennie J. Schultz and Jean Schultz, as Trustees for the Schultz Living Trust (Schultz); Jodi E. Bianchi, ~~through her attorney-in-fact, Victor R. Bianchi, Jr.~~ (Bianchi); Kelly L. Dohn and Nancy J. Dohn (Dohn); and Cascade Coast, Inc., an Oregon corporation through its President Rantik Parikh (Cascade Coast).

MEMORANDUM OF AGREEMENT:

1. The parties have entered to a Real Property Purchase and Sale Restructure Agreement with an effective date of September 10, 1993. Such agreement modifies and amends the terms and provisions of notes and trust deeds secured by and associated with the real properties which are described in Exhibit A attached hereto.
2. The restructure agreement includes a cross-default provision under which a default in regard to any of the Exhibit A properties constitutes a default in regard to all of them and contains other various modifications to such notes and trust deeds.
3. The purpose of this memorandum is for recording in the real property records in counties where the subject real properties are located so that public notice is given in change of terms affecting the Exhibit A properties.

Bennie J. Schultz
BENNIE J. SCHULTZ, Co-Trustee of
the Schultz Living Trust

Jean Schultz
JEAN SCHULTZ, Co-Trustee of the Schultz
Living Trust

Jodi E. Bianchi
JODI E. BIANCHI, by and through her
attorney-in-fact Victor R. Bianchi, Jr.

Kelly L. Dohn
KELLY L. DOHN

Nancy J. Dohn
NANCY J. DOHN

CASCADE COAST, INC., an Oregon
corporation

By Rantik Parikh
Rantik Parikh, President

AFTER RECORDING RETURN TO:
Eugene Escrow #93061
P.O. Box 409
Eugene, OR 97440

MEMORANDUM OF REAL PROPERTY PURCHASE AND SALE
RESTRUCTURE AGREEMENT - 1

STATE OF OREGON)
) ss.
 County of Lane)

February 18, 1994
 Personally appeared Bennie J. Schultz, as Co-Trustee of the Schultz Living Trust, on
 November ~~1993~~, 1993 and acknowledged the foregoing instrument to be his voluntary act and
 deed.

Kristen McGee
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: 2-23-94

STATE OF OREGON)
) ss.
 County of Lane)

February 18, 1994
 Personally appeared Jean Schultz, as Co-Trustee of the Schultz Living Trust, on
 November ~~1993~~, 1993 and acknowledged the foregoing instrument to be her voluntary act and
 deed.

Kristen McGee
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: 2-23-94

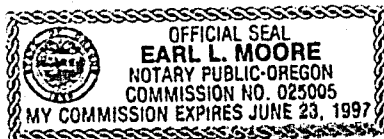
STATE OF *Virginia*)
City of Lynchburg) ss.
 County of *Lynchburg*)

Personally appeared Jodi E. Bianchi, by and through her attorney-in-fact Victor R.
 Bianchi, Jr., on November ~~1993~~ *3, 1994* and acknowledged the foregoing instrument to be her
 voluntary act and deed.

Jane W. Payland
 NOTARY PUBLIC FOR *State of Virginia*
 My Commission Expires: *5/31/94*

STATE OF Oregon)
 County of Multnomah) ss.

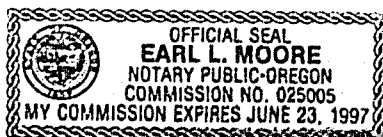
Personally appeared Kelly L. Dohn on November 26, 1993 and acknowledged the foregoing instrument to be his voluntary act and deed.



Earl L. Moore
 NOTARY PUBLIC FOR State of Oregon
 My Commission Expires: 6-23-97

STATE OF Oregon)
 County of Multnomah) ss.

Personally appeared Nancy J. Dohn on November 26, 1993 and acknowledged the foregoing instrument to be her voluntary act and deed.



Earl L. Moore
 NOTARY PUBLIC FOR State of Oregon
 My Commission Expires: 6-23-97

STATE OF New Jersey)
 County of Middlesex) ss.

Personally appeared Cascade Coast, Inc., an Oregon corporation by through Rantik Parikh, its president, and upon the approval of its board of directors, on November 12, 1993 and acknowledged the foregoing instrument to be its voluntary act and deed.

Kamal Verma
 NOTARY PUBLIC FOR STATE OF NEW JERSEY
 My Commission Expires: MAR. 29, 1998

KAMAL VERMA
 NOTARY PUBLIC OF NEW JERSEY
 MY COMMISSION EXPIRES MAR. 29, 1998

EXHIBIT A

<u>Property #</u>	<u>Address*</u>	<u>Eugene Escrow Service #</u>	<u>Monthly Payment**</u>
1	465 Clark Street Eugene, Oregon	91-339A	\$ 318.87
2	3408 Industrial Avenue Eugene, Oregon	91-340A	\$ 376.34
3	2525 Jefferson Street Eugene, Oregon	92-220	\$ 498.28
4	4123 Camellia Street Springfield, Oregon	92-281	\$ 267.10
5	255 N. 37th Street Springfield, Oregon	92-282	\$ 189.88
6	440 S. 47th Street Springfield, Oregon	92-387	\$ 406.37
7	610 Bethel Eugene, Oregon	92-504	\$ 231.03
8	140 N. 37th Street Springfield, Oregon	92-526	\$ 342.59
9	Lots 1200 and 3300 Crescent, Oregon	92-527	\$ 161.35
10	1553 W. Second Eugene, Oregon	93-022	\$ 404.34
11	Lot 0100 Crescent, Oregon	93-061	\$ <u>425.50</u>
TOTAL:			\$3,621.35

*Legal descriptions by property number and address are attached.

**Does not include escrow collection fees.

REAL PROPERTY DESCRIPTIONS

1. 465 Clark Street, Eugene, Oregon

The East 75 feet of Lot 7, Block 1, SHELTON'S ADDITION TO EUGENE, as platted and recorded in Volume W, Page 81, Lane County Oregon Plat Records, in Lane County, Oregon.

2. 3408 Industrial Avenue, Eugene, Oregon

A parcel of land in the Southwest 1/4 of the Southwest 1/4, Section 30, Township 17 South, Range 2 West, Willamette Meridian, said parcel being more particularly described as follows: Beginning at the Southwest corner of Lot 17 of Block 6, FIRST ADDITION TO THE ADAMS PLAT, as platted and recorded in Book 15, Page 2, Lane County Oregon Plat Records; said point being on the Easterly right-of-way of 34th Street and Northerly right-of-way of Industrial Avenue; thence South 84° 23' East, 68.97 feet along the right-of-way of Industrial Avenue; thence leaving said right-of-way North 0° 33' East 77.54 feet; thence North 89° 27' West 68.70 feet to the right-of-way of 34th Avenue, thence South 0° 33' West 71.45 feet along said right-of-way to the point of beginning, in Lane County, Oregon.

along with:

A portion of Lot 17, Block 6, FIRST ADDITION TO THE ADAMS PLAT, as platted and recorded in Book 15, Page 2, Lane County Plat Records, in the City of Springfield, Lane County, Oregon, described as follows:

Beginning at the Southwest corner of Lot 17; thence South 84° 23' East 68.97 feet along the South line of Lot 17; thence North 00° 33' East 77.54 feet; thence North 89° 27' West 68.7 feet to the West line of Lot 17; thence South 00° 33' West 71.45 feet to the Point of Beginning.

3. 2525 Jefferson Street, Eugene, Oregon

Beginning at the West line of Lot 11, Block 4, WEST VIEW ADDITION TO EUGENE, as platted and recorded in Book 4, Page 87, Lane County Oregon Plat Records, at a point 55.0 feet North of the Southwest corner of said Lot 11; thence Easterly parallel with the North line of Lots 11 and 10, 104.33 feet, more or less, to the East line of Lot 10; thence South to the Southeast corner of said Lot 10; thence West along the South line of Lots 10 and 11, 104.33 feet to the Southwest corner of Lot 11; and thence North 55.0 feet to the point of beginning, in the City of Eugene, Lane County, Oregon.

EXCEPT the Easterly 2.0 feet thereof.

4. **4123 Camellia Street, Springfield, Oregon**

A Portion of Lot 19, FREDERIC, as platted and recorded in Book 4, Page 67, Lane County Oregon Plat Records, in the City of Springfield, described as follows:

Beginning at the initial point in the center of the Jasper Road, also known as County Road No. 287, at the most Easterly Southeast corner of the Reuben R. Harper Donation Land Claim No. 57, in Township 17 South, Range 2 West of the Willamette Meridian; thence North $0^{\circ} 19'$ East 229.66 feet; thence North $89^{\circ} 44'$ West 708.30 feet to the true point of beginning; thence South $0^{\circ} 19'$ West 174.66 feet; thence South $89^{\circ} 26'$ East 48 feet; thence North $0^{\circ} 19'$ East 174.66 feet; thence North $89^{\circ} 44'$ West 48 feet to the true point of beginning, all in Lane County, Oregon.

EXCEPT any portion lying within Camellia Street.

5. **255 N. 37th Street, Springfield, Oregon**

A parcel of land in the Southeast one-quarter of Section 31, Township 17 South, Range 2 West of the Willamette Meridian, in the City of Springfield, described as follows:

Beginning at a point which is 1027.16 feet South $0^{\circ} 22 \frac{1}{2}'$ West of a point on the South line of the Lucinda Comegy's Donation Land Claim No. 81, Township 17 South, Range 2 West of the Willamette Meridian, said last mentioned point being 1454.85 feet North $89^{\circ} 50'$ East from the Southwest corner of said Claim; from said beginning point, run South $0^{\circ} 22 \frac{1}{2}'$ West 40 feet; thence North $89^{\circ} 44'$ West 132.78 feet to the East line of a certain roadway; thence North $0^{\circ} 29 \frac{1}{2}'$ East along said East line 40 feet; thence leaving said roadway and run South $89^{\circ} 44'$ East 132.69 feet to the Point of Beginning, in Lane County, Oregon.

EXCEPT any portion lying within 37th Street.

6. **440 S. 47th Street, Springfield, Oregon**

Lot 28, E. M. HINSHAW PLAT, as platted and recorded in Book 12, Page 20, Lane County Oregon Plat Records, in the City of Springfield, Lane County, Oregon.

EXCEPT THEREFROM the North 110 feet as described in deeds recorded on August 10, 1962, as Reception No. 79484, and on March 24, 1964 as Reception No. 48669, Official Records Lane County.

7. **610 Bethel, Eugene, Oregon**

Lot 1, except the West 32.5 feet thereof, in Block 4, of the Replat of Block 4, 7 and 8, and the South half of Blocks 5 and 6 of the PLAT OF BETHEL, in the County of Lane, State of Oregon.

8. 140 N. 37th Street, Springfield, Oregon

Beginning at a point which is 100 feet North of a point on the North line of the McKenzie Highway right of way, which point is South 25.5 chains, more or less, from a point on the South line of the Lucinda Comegy Donation Land Claim No. 81, Township 17 South, Range 2 West of the Willamette Meridian, Lane County, Oregon, 17.626 chains East of the Southwest corner thereof; and from said beginning point run thence North 100.0 feet, more or less, to the Southwest corner of the Tract conveyed to Chester B. Terry, by Deed recorded August 5, 1948, in Book 379, Page 67, Lane county Oregon Deed Records, in Lane County, Oregon; thence East 2.343 chains; thence South 100.0 feet to a point East of the point of beginning; thence West 2.343 chains to the point of beginning, in Lane County, Oregon.

SAVE AND EXCEPT the East 20 feet thereof previously conveyed to the City of Springfield, for street purposes.

9. Lots 1200 and 3300, Crescent, OregonPARCEL 1

Lot 2, Block 1 of River West, according to the official plat thereof on file in the records of Klamath County, Oregon.

Subject to easements and rights of way of record and those apparent on the land, if any; building set-back lines and utility easements as shown on the plat of River West.

PARCEL 2

The West 220 feet of the East 440 feet of the North 100 feet of the NW Quarter of the SE Quarter of Section 25, T24, South, Range 8 East of the Willamette Meridian, according to the records of Klamath County, Oregon.

Reserving the West twenty feet for utility lines and road purposes.

10. 1553 W. Second, Eugene, Oregon

Beginning at a point 50.0 feet East of the Southwest corner of Lot 1, Block 5, of BLAIR STREET ADDITION to Eugene, Oregon; thence East 50.0 feet; thence South 110.0 feet; thence West 50.0 feet to the place of beginning, in Lane County, Oregon.

11. Lot 0100, Crescent, Oregon

Beginning at the Northeast corner of the Southeast 1/4 of section 25, Township 24 South, Range 08 East of the Willamette Meridian; thence Westerly along the North line of the Southeast 1/4, 220 feet, thence South, parallel with the East line of the Southeast 1/4 to the Northerly line of Elk Drive in RIVER WEST, a platted subdivision; thence along the Northerly line of Elk Drive to the East line of Section 25; thence Northerly along the East line of Section 25, 100 feet to the true point of beginning.

Reserving therefrom any portion lying within a Klamath County Roadway.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co the 7th day
of April A.D., 19 94 at 11:11 o'clock A M., and duly recorded in Vol. M94
of Deeds on Page 10343

Evelyn Biehn County Clerk
By Annette Mueller

FEE \$60.00