

ATC#03043318
After recording, return to:

Until a change is requested, all tax
statements shall be sent to the following
address:

Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601

James M. Severin and Terry Maiden
36358 Modoc Point Road
Chiloquin, OR 97624

MEMORANDUM OF LAND SALE CONTRACT

BY AN INSTRUMENT in writing, dated September 27, 1995, , ROBERT and PATRICIA DE LARWELLE as Sellers, and JAMES M. SEVERIN and TERRI L. MAIDEN as Buyers, made and entered into a contract in which Seller agrees to sell and Buyers agree to purchase the following-described real property, situated in the County of Klamath, State of Oregon, to-wit:

The Southerly one-half of Lot 9 in Section 7, Agency Lake, in the County of Klamath, State of Oregon, being approximately 300 feet along State Highway 427 and thence right angles to Shore of Agency Lake, the whole of said property being described as follows:

Beginning at a point 564 feet West of the Northeast corner of Lot 9, Section 7, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, or on the North line of said Lot 9 and the East line of Dalles-California Highway right-of-way; thence West 469 feet to the lake shore line; thence Southwesterly along the meanderline, approximately 650 feet to the North line of 100 foot lot owned by Chas. Blair Knight by Deed dated May 23, 1936 approved September 9, 1936, L-Adj. 13295 BDS; thence East along North line of said 100 foot lot, 592 feet to a point on the East line of Dalles-California Highway right-of-way; thence North 600 feet to the point of beginning being all that part of Lot 9, Section 7, Township 35 South, Range 7 East of the Willamette Meridian, West of East line of Dalles-California Highway right-of-way and North of the North line of the 100 foot lot owned by Chas. Clair Knight by Deed mentioned above.

EXCEPTING THEREFROM that portion lying within State Highway 427.

CODE 118 MAP 3507-7BD TL 800

SUBJECT TO:

1. 1995-96 taxes, a lien not yet payable.
2. Rights of the public in and to any portion of the herein-described premises lying within the boundaries of roads or highways.
3. Right, title or interest of the public, including governmental bodies in and to that portion of said premises lying below the ordinary high water line of Agency lake and public rights of fishing and recreation in and to the shoreline of said river.

4. All matters arising from any shifting in the course of Agency Lake, including but not limited to accretion, reliction and avulsion.
5. Easement, including the terms and provisions thereof:
 Granted to: The California Oregon Power Company
 Recorded: May 11, 1925
 Book: 65
 Page: 580
6. Easement, including the terms and provisions thereof:
 Granted to: The California Oregon Power Company
 Recorded: September 27, 1939
 Book: 124
 Page: 510
7. Terms and provisions in Land Status Report dated January 9, 1959, recorded January 9, 1959, in Book 308 at Page 439, Deed Records of Klamath County, Oregon.
8. Ditches and canals constructed by authority of the United States as reserved in Indian Patent to Silas Hiches dated March 3, 1910, recorded January 4, 1945, in Book 183 at Page 507, Deed Records of Klamath County, Oregon.
9. Easement, including the terms and provisions thereof:
 Granted to: Pacific Power & Light Company
 Recorded: April 6, 1960
 Book: 320
 Page: 204

and commonly known as 36358 Modoc Point Road, Chiloquin, Oregon, and having Tax Account Number Code 118 Map 3507-7BD TL 800.

The contract provides, among other things, that Buyers shall not assign, sell or transfer their interest in the real property or the contract without Seller's written consent.

The terms and conditions of the contract are fully set forth in the contract and reference thereto is hereby made. The true consideration for this transfer is \$185,000.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THE 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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. ORS 93.040(1)

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DATED this 27th day of September, 1995.

SELLER:

Robert L. De Larwelle

ROBERT L. DE LARWELLE

Patricia J. De Larwelle

PATRICIA J. DE LARWELLE

BUYER:

JAMES M. SEVERIN

TERRI L. MAIDEN

STATE OF OREGON)
) ss.
County of Klamath)

On this 27th day of September, 1995, personally appeared before me the within-named **ROBERT L. DE LARWELLE** and acknowledged said instrument to be his voluntary act and deed.

Before me:

Carole Johnson
NOTARY PUBLIC FOR OREGON

My Commission Expires: January 31, 1998

(SEAL)



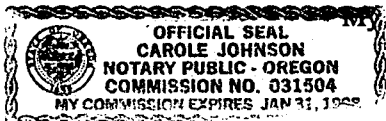
STATE OF OREGON)
) ss.
 County of Klamath)

On this 27th day of September, 1995, personally appeared before me the within-named **PATRICIA J. DE LARWELLE** and acknowledged said instrument to be her voluntary act and deed.

Before me:

Carole Johnson
 NOTARY PUBLIC FOR OREGON

(SEAL)



My Commission Expires: January 31, 1998

STATE OF OREGON)
) ss.
 County of _____)

On this _____ day of _____, 1995, personally appeared before me the above-named **JAMES M. SEVERIN**, and acknowledged said instrument to be his voluntary act and deed.

Before me:

 NOTARY PUBLIC FOR OREGON

(SEAL)

My Commission Expires: _____

STATE OF OREGON)
) ss.
 County of _____)

On this _____ day of _____, 1995, personally appeared before me the above-named **TERRI L. MAIDEN**, and acknowledged said instrument to be her voluntary act and deed.

Before me:

 NOTARY PUBLIC FOR OREGON

(SEAL)

My Commission Expires: _____

26456

DATED this ____ day of _____, 1995.

SELLER:

ROBERT L. DE LARWELLE

PATRICIA J. DE LARWELLE

BUYER:

JAMES M. SEVERIN

TERRI L. MAIDEN

STATE OF OREGON)
) ss.
County of _____)

On this ____ day of _____, 1995, personally appeared before me the within-named
ROBERT L. DE LARWELLE and acknowledged said instrument to be his voluntary act and deed.

Before me:

(SEAL)

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

STATE OF OREGON)
) ss.
 County of _____)

On this _____ day of _____, 1995, personally appeared before me the within-named **PATRICIA J. DE LARWELLE** and acknowledged said instrument to be her voluntary act and deed.

Before me:

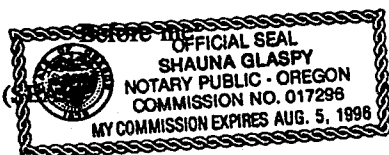
(SEAL)

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

STATE OF OREGON)
) ss.
 County of Marion)

On this 27th day of September, 1995, personally appeared before me the above-named **JAMES M. SEVERIN**, and acknowledged said instrument to be his voluntary act and deed.



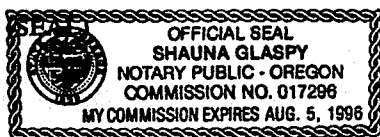
Shauna Glaspy
 NOTARY PUBLIC FOR OREGON

My Commission Expires: 8-5-96

STATE OF OREGON)
) ss.
 County of Marion)

On this 27th day of September, 1995, personally appeared before me the above-named **TERRI L. MAIDEN**, and acknowledged said instrument to be her voluntary act and deed.

Before me:



Shauna Glaspy
 NOTARY PUBLIC FOR OREGON

My Commission Expires: 8-5-96

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co the 29th day
 of Sept A.D., 19 95 at 11:43 o'clock A M., and duly recorded in Vol. M95,
 of Deeds on Page 26452.

Bernetha G. Letsch, County Clerk

FEE \$55.00

By Lynette Friday

DATED this 27th day of September, 1995.

SELLER:

Robert L. De Larwelle

ROBERT L. DE LARWELLE

Patricia J. De Larwelle

PATRICIA J. DE LARWELLE

BUYER:

JAMES M. SEVERIN

TERRI L. MAIDEN

STATE OF OREGON)
) ss.
County of Klamath)

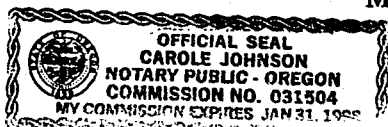
On this 27th day of September, 1995, personally appeared before me the within-named **ROBERT L. DE LARWELLE** and acknowledged said instrument to be his voluntary act and deed.

Before me:

Carole Johnson
NOTARY PUBLIC FOR OREGON

(SEAL)

My Commission Expires: January 31, 1998



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