

09-29-95A11:43 RCVD

Vol.MS_Page___26

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 <u>September 27</u>, 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:
	12 but Labour to
	ROBERT L. DE LARWELLE
	Patrino J. We Jarwelle
	PATRICIA J. DE VARWELLE
	BUYER:
	JAMES M. SEVERIN
	JAMES M. SEVERIN
	TERRI L. MAIDEN
STATE OF OREGON)	
) ss.	
County of Klamath	
On this 27thday of Septemb	er , 1995, personally appeared before me the within-named
NOBERT L. DE LARWELLE and ackno	owledged said instrument to be his voluntary act and deed.
Before me:	_ Cahole Vansar
(CEAT)	NOTARY PUBLIC FOR OREGON
(SEAL)	My Commission Expires: January 31, 1998
OFFICIAL SEAL CAROLE JOHNSON NOTARY PUBLIC - OREGON COMMISSION NO. 031504 MY COMMISSION EXPRES JAN 31, 190	į į
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STATE OF OREGON)	
County of Klamath) ss.	
	, 1995, personally appeared before me the within-named nowledged said instrument to be her voluntary act and deed.
Before me:	- Chile Thran
(SEAL) OFFICIAL SEAL	NOTARY PUBLIC FOR OREGON Organission Expires: January 31, 1998
CAROLE JOHNSON OF COMMISSION NO. 331504	4 (A
STATE OF OREGON)	
) ss. County of)	
On this day of JAMES M. SEVERIN, and acknowledge	, 1995, personally appeared before me the above-named a said instrument to be his voluntary act and deed.
Before me:	
(SEAL)	NOTARY PUBLIC FOR OREGON My Commission Expires:
STATE OF OREGON)	
County of) ss.	
	, 1995, personally appeared before me the above-named said instrument to be her voluntary act and deed.
Before me:	
(SEAL)	NOTARY PUBLIC FOR OREGON My Commission Expires:
(SEUT)	May Commission Expues.

DATED this	y of, 1995.	
	SELLER:	
	ROBERT L. DE LARWELLE	
	PATRICIA J. DE LARWELLE	
	BUYER:	
	JAMES M. SEVERIN	
	TERRI L. MAIDEN	
STATE OF OREGON) ss.	
County of	ے تعلق	
On this day ROBERT L. DE LARW	of, 1995, personally appeared before me the value and acknowledged said instrument to be his voluntary act and	within-named deed.
Before me:	NOTARY PUBLIC FOR OREGON	
(SEAL)	My Commission Expires:	

STATE OF OREGON) ss.		••
County of		
-		I before me the within named
On this day of PATRICIA J. DE LARWELLE and	, 1995, personally appe	ared before me the within-hamed
PATRICIA J. DE LARWELLE and	acknowledged said instrument to be	e her voluntary act and dood.
Defene mar		
Before me:	NOTARY PUBLIC FOR ORE	GON
(SEAL)	My Commission Expires:	
()		
STATE OF OREGON) ss.		
County of Marion) ss.		
	4 — •	
On this 27th day of Jup	, 1995, personally app	peared before me the above-named
JAMES M. SEVERIN, and acknowledge	edged said instrument to be his volu	intary act and deed.
	Xhaira s	Meson
SHAUNA GLASPY		
VI MARKET	NOTARY PUBLIC FOR OR My Commission Expires:	8-5-96
COMMISSION NO. 017298 MY COMMISSION EXPIRES AUG. 5, 1998 V		
6202020202020202020202020		
STATE OF OREGON)		
County of Marian) ss.		
On this 27H day of	tenher, 1995, personally ap	peared before me the above-named
TERRI L. MAIDEN, and acknowled	dged said instrument to be her volu	ntary act and deed.
	\sim	
Before me:	NOTA DV DUDI IC FOR OF	DEGON D
	NOTARY PUBLIC FOR OF My Commission Expires:	8-5-56
OFFICIAL SEAL SHAUNA GLASPY	wiy commission Express	
NOTARY PUBLIC - OREGON		
MY COMMISSION NO. 017296 MY COMMISSION EXPIRES AUG. 5, 1996		
(population of the second of t		
STATE OF OREGON: COUNTY OF KLAI	MATH: ss.	
STATE OF OREGON: COUNTY OF REPO		29th
Filed for record at request of	Aspen Title Co	and duly recorded in Vol. M95
of Sept A.D., 19	95 at 11:43 o'clock M. on Page	Bernetha G. Letsch, County Clerk
01 <u>'Deeds</u>	9	Bernetha G. Letsch, County Clerk
FEE \$55.00 NELL MINISTER SECTION	E AMERICAN SE CELEBRATE BY CHIPAL	the Thinks

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	PATRICIA J. DE L'ARWELLE
	BUYER:
	JAMES M. SEVERIN
	TERRI L. MAIDEN
STATE OF OREGON)) ss.	
County of <u>Klamath</u>)	
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Before me:	Mhole Vhnsen
before me.	NOTARY PUBLIC FOR ORBOON
(SEAL)	My Commission Expires: January 31, 1998
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