

MEMORANDUM OF ASSIGNMENT OF CONTRACT

An Assignment of Contract dated May 22, 1984,

has been executed wherein CHARLES C. FIFIELD and DORA E. FIFIELD, husband and wife, agreed to sell, and NEIL E. TOFELL, a single man, agreed to purchase all of the Assignor's interest in the following described property situated in Klamath County, Oregon, to-wit:

A portion of NW $\frac{1}{4}$ of Section 34, Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of Section 34, Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence South along said Western boundary of said Section distant 1320 feet; thence East 1062 feet to the point of beginning; thence South 616 feet to center of a natural ditch; thence Southerly and Easterly along said ditch a distance of 593 feet; thence North 430 feet; thence West 91 feet; thence North 258 feet; thence West 502 feet to the point of beginning.

SAVING AND EXCEPTING THEREFROM that portion conveyed to State of Oregon for highway purposes by deed recorded in Book 107 at page 23 and also that portion conveyed to Charles Inman by deed recorded in Book 130 at page 581 and ALSO SAVING AND EXCEPTING that portion conveyed to James M. Barnes by Deed recorded in Book 133 at page 511 and also that portion conveyed to Olive Mounts by Deed recorded in Book 133 at page 245 and also that portion conveyed to John A. Jones by Deed recorded in Book 217 at page 165; and also SAVING AND EXCEPTING that portion conveyed to Elizabeth L. Bell by Deed recorded in Book 189 at page 12, all Book and page references being Deed Records of Klamath County, Oregon.

TOGETHER WITH the following described property:

A portion of SW $\frac{1}{4}$ Section 34, Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point where the boundary of that certain tract conveyed to Olive Fraley by Deed recorded in Book 182 at page 253, Deed Records of Klamath County, Oregon, intersects the fence line marking the Westerly boundary of the property conveyed to A. L. Michael by Deed recorded in Book 66 at page 552 of Deed Records of Klamath County, Oregon, which point of beginning bears South 1 $^{\circ}$ 45'

continued on page 3

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EXHIBIT "D"

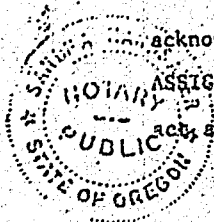
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10807 9393

STATE OF OREGON)
) ss.
 County of Klamath)

May 30, 1984.

Personally appeared the above named NEIL E. TOFELL,
 acknowledged the foregoing instrument (MEMORANDUM OF
 ASSIGNMENT OF CONTRACT, Fifield/Tofell) to be his voluntary
 act, and deed.



Before me:

London Handwerker
 Notary Public for Oregon
 My Commission Expires: 7-25-85

*After recording return to:
 Aspen Title & Escrow*

PROPERTY DESCRIPTION CONTINUED:

East along said fence line a distance of 180 feet, more or less, from the Southeasterly right of way line of the Klamath Falls-Lakeview Highway; thence North 62°29' East along the Northwesterly boundary of said Olive Fraley property, a distance of 51 feet; thence North 4°00' West 75 feet; thence South 89°25' West, 43 feet to a point in said fence line marking the Westerly boundary of said A.L. Michael property; thence South 1°45' East along said fence line, a distance of 98 feet to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 14 day of June A.D., 1984 at 3:39 o'clock P.M., and duly recorded in Vol MB4, of Deeds on page 9591.

EVELYN B. EHN, COUNTY CLERK

Fee: \$ 12.00by: *Ann Smith*, Deputy

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SUBJECT TO AND EXCEPTING:

10808

9992

(1) Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Horsefly Irrigation District; (2) Rights of the public in and to any portion of said premises lying within the limits of roads and highways; (3) Easement across the Westerly 16 feet as disclosed by Warranty Deed dated January 21, 1959, recorded December 8, 1959 in Book 317, page 526, Deed Records; (4) Easement dated January 15, 1964 in Book 350 page 464 in favor of Elizabeth Bell; (5) Reservations, restrictions, easements and rights of way of record and those apparent upon the land, ^{Contract recorded October 12, 1979 in Book 479 at page 24127 and assignment recorded August 25, 1980 in Book 1460 Page 16049, said Contract shall be assumed.}

The true and actual consideration paid for this transfer,

stated in terms of dollars, is Three Thousand Dollars, (\$3000.00).

Being duly sworn, said parties depose and say that they have executed the above described contract and that the statements contained in this memorandum are true. If either of the said parties is a corporation, it has caused its corporate name to be signed and its corporate seal affixed hereto by its officers duly authorized thereunto by order of its board of directors.

DATED: May 30, 1984.

Charles C. Fifield
CHARLES C. FIFIELD, Assignor

Dora E. Fifield
DORA E. FIFIELD, Assignor
Neil E. Tofell
NEIL E. TOFELL, Assignee

STATE OF OREGON)
County of Klamath) ss.

May 30, 1984.

Personally appeared CHARLES C. FIFIELD and DORA E. FIFIELD, husband and wife, the above named, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Sandra M. H. [Signature]
Notary Public for Oregon
My Commission Expires: 7-23-85

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness et al the 2nd day of April A.D., 19 98 at 3:18 o'clock P. M., and duly recorded in Vol. M98 of Deeds on Page 10795

FEE \$95.00

By Bernetha G. Leisch, County Clerk
Kathleen Raso