

74114

99 HS-3 P1.56

OWNER'S SALE AGREEMENT AND EARNEST MONEY RECEIPT

Vol. 1999 Page 4082

A. PURCHASER'S OFFER: Personal Contract

offer to purchase the following real property (line 1 address and legal description):

(Purchaser)

and the following personal property (personal property in as is condition): TRUCK - DIESEL - REFRIG. RATOR - STOVEfor the purchase price of \$49,900.00 by XXXXXXXXXXXXXXXXXXXXpayable as follows: (a) earnest money herein received for of \$49,900.00 Dollars \$49,900.00(b) on 12/15/99, as additional earnest money; the sum of \$0.00(c) on delivery of ☐ deed ☐ contract, the sum of (balance of down payment) \$0.00(d) the balance of the purchase price \$0.00payable as follows: 12% ANNUAL INTEREST ON \$49,900.00FOR 12 MONTHS - PAYMENTS IN THE AMOUNT OF \$665.33, 1ST PAYMENT DUE12/15/99 - PAYABLE ON THE 1ST DAY OF EACH MONTH. 10 DAY GRACEPERIOD WITH A 10% LATE FEE ON THE 1ST DAY OF EACH MONTH. 10 DAY GRACEPERIOD. HAD TO BE RESPONSIBLE FOR ALL UTILITIES. SELLER PAYS THELOAN CONTINGENCIES. IF A LOAN IS PROVIDED FOR ABOVE, PURCHASER SHALL PROMPTLY APPLY AND USE BEST EFFORTS TO OBTAIN THAT LOAN, AND THE SALE AND PURCHASE ARE SUBJECT TO THE PURCHASER ANDEarnest Money Deposit. If this offer is accepted, the earnest money received for below shall be: (a) (use only if closing in escrow) ☐ deposited with

the Purchaser or otherwise retained by Seller as provided in this agreement, or (b) retained by Seller until refundable to Purchaser as provided in this agreement.

Property included with the sale: With the following exceptions, Seller shall leave on the premises as part of the property purchased: all irrigation, plumbing, heating, cooling, electrical and

lighting fixtures including air conditioning units and all other attached appliances; built-in appliances; water heaters; bathtubs and tubs; window treatments; window and door screens; storm

doors and windows; attached floor coverings; attached television antennae; and all shrubs, plants and trees. The exceptions are (if none, so state):

Dated, The property is to be conveyed by statutory warranty deed free and clear of all liens and encumbrances except zoning ordinances, building and use restrictions, reservations in

Federal patents, easements of record which benefit the property or area where the property is located and (if none, so state): N/A

Seller Financing: If Seller will hold a contract or trust deed, the contract or trust deed shall require Purchaser to: (a) maintain the real property in good condition; (b) provide fire and

safety insurance covering the property as insured, for the full insurable value of the real property; and (c) pay all real property taxes and assessments when due. Purchaser's default

shall entitle Seller to: (a) call all amounts owing, due and payable; (b) recover Seller's reasonable attorney fees incurred in exercising Seller's remedies under the contract or note and trust

deed; (c) foreclose on the property; (d) to be delivered to Seller ☐ within 10 days after closing; ☐ on or before 10 days after closing; ☐ on or before 10 days after closing.

Purchaser shall be responsible for the property and for which Seller will be responsible, shall be prorated between Seller and Purchaser as of the date of possession.

Closing: Closing shall occur on or before 12/15/99. To 10 (CHECK IF APPLICABLE) The transaction will be closed by the escrow company named above, with the

escrow fee said 50% by Seller and 50% by Purchaser. At closing, Seller may pay, out of the purchase money, encumbrances to be discharged by Seller.

Assignment: If any of the purchase price is to remain owing to Seller after closing, then Purchaser may not assign Purchaser's rights under this agreement without the written consent of

Seller. Seller's representations: Seller represents that: (a) except as stated in writing in this agreement or in Seller's Property Disclosure, if any, Seller knows of no material structural defects

in the real property including the heating, cooling, electrical and plumbing systems and equipment; (b) the residence is connected to ☐ a public sanitary sewer system ☐ a cess pool orseptic tank; (c) a public water system ☐ a private well. Seller agrees that the real property including these systems and equipment shall be in substantially its present condition, at delivery

of possession. With these exceptions, the real property is sold and purchased as is, with all defects apparent and not apparent. NOTE: Seller may be required to give Purchaser a statu-

tory Property Disclosure or Disclaimer. Private Well: If the property is served by a private water well, Seller represents that: (a) the well has provided an adequate supply of water during the entire year for the uses it serves; (b)

the well provides water for human consumption; to the best of Seller's knowledge the water is fit for human consumption; and (c) the continued use of the well and water complies with

the laws of all governmental agencies. No other representations are made concerning the water supply and well. If the well provides water for domestic use, upon Seller's acceptance of

Purchaser's offer, Seller, if Seller's expense, will have the well tested for nitrates and total coliform bacteria and for such other matters as are required by the Oregon Health Division. Upon

receipt, Seller shall submit the test results to the Oregon Health Division and Purchaser. If the written report of the test made by Seller shows a substantial deficiency in quality of the water,

then Purchaser may terminate this transaction by delivering written notice of termination to Seller within 24 hours after receipt by Purchaser of the written test report, unless within 24 hours

after delivery of notice of termination, Seller agrees in writing to correct before closing, the deficiencies shown on the report.

Purchaser may terminate this transaction by delivering to Seller, written notice of Purchaser's disapproval of the inspection report. Notice must be delivered within

business days (seven if not stated) after the date this agreement is made. Purchaser shall promptly provide a copy of the report to Seller if requested by Seller. Purchaser understands

that if Purchaser does not give written notice of disapproval or an inspection report showing a material defective condition or a lead-based paint hazard, within the time pro-

vided above, that constitutes acceptance of the condition of the property.

Purchaser B Inspection: Purchaser has personally inspected the property and all elements and systems thereof. Purchaser is fully satisfied and has elected NOT to

have an inspection performed by anyone else. Lead-Based Paint: ☐ Check and comply if property includes non-exempt housing constructed before 1978. See attached "Seller's Disclosure of Information on Lead-Based Paint and/or

Lead-Based Paint Hazards." Smoke Detectors: Seller agrees that prior to closing a property installed and functioning smoke detector(s) will be installed in each dwelling unit as required by law.

Life Insurance: As part of closing, Seller will furnish to Purchaser at Seller's expense a life policy in the amount of the purchase price and insuring marketable title. Prior to closing, Seller

shall give Purchaser a title insurance company's report showing its willingness to insure title to the property. Earnest Money Payment: If Seller does not close this offer, or if Seller accepts this offer and fails to close the sale as provided in the agreement, the earnest money shall be

returned, but Purchaser's acceptance of the return is not a waiver of other remedies available to Purchaser. If Seller accepts this offer and is ready, willing and able to perform, and

Purchaser fails to perform as and when provided in this agreement, then the earnest money and additional earnest money, if any, shall be paid to Seller and this contract will be of no fur-

ther binding effect. Statutory Disclosures: THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY

IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH

LIMIT LANDS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.900 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PER-

SON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND

EXISTENCE OF FIRE PROTECTION FOR STRUCTURES. IF THE PROPERTY IS TAXED AS HISTORIC PROPERTY, INCLUDE STATEMENT IN ORS 30.900(3) Time, Essence, Binding Effect: Time is of the essence. This contract is binding upon the successors and permitted assigns of Purchaser and Seller.

Purchaser may revoke this offer any time prior to Seller's acceptance. If not accepted by 12/15/99 o'clock PM, this offer is automatically rejected. Purchaser has an executed copy of this offer, which Purchaser has read and understands. The deed or contract is to be prepared in the name ofXXXXXXXXXXXXXXXXXXXX Date: 12/15/99 (B) XXXXXXXXXXXXXXXXXXXX Date: 12/15/99Address (A) XXXXXXXXXXXXXXXXXXXX Address (B) XXXXXXXXXXXXXXXXXXXXCity/State/Zip (A) XXXXXXXXXXXXXXXXXXXX City/State/Zip (B) XXXXXXXXXXXXXXXXXXXXPhone(s) (A) XXXXXXXXXXXX Phone(s) (B) XXXXXXXXXXXX

C. PURCHASER'S ACKNOWLEDGMENT: Purchaser acknowledges receipt of a copy of Purchaser's offer showing Seller's acceptance, and confirms Purchaser's agreement to purchase

the property. Date: 12/15/99 (B) XXXXXXXXXXXX Date: 12/15/99

For other forms to be used in this transaction, the publisher recommends 5-61 Form and Publication Nos: 500 - Seller's Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards; 500-A - Seller's Property Disclosure

10 - Monthly Paid (Subsidiary) 500 - Owner's Counter Offer; 500-B - Seller's Property Disclosure; 500-C - Seller's Property Disclosure; 500-D - Seller's Property Disclosure; 500-E - Seller's Property Disclosure; 500-F - Seller's Property Disclosure; 500-G - Seller's Property Disclosure; 500-H - Seller's Property Disclosure; 500-I - Seller's Property Disclosure; 500-J - Seller's Property Disclosure; 500-K - Seller's Property Disclosure; 500-L - Seller's Property Disclosure; 500-M - Seller's Property Disclosure; 500-N - Seller's Property Disclosure; 500-O - Seller's Property Disclosure; 500-P - Seller's Property Disclosure; 500-Q - Seller's Property Disclosure; 500-R - Seller's Property Disclosure; 500-S - Seller's Property Disclosure; 500-T - Seller's Property Disclosure; 500-U - Seller's Property Disclosure; 500-V - Seller's Property Disclosure; 500-W - Seller's Property Disclosure; 500-X - Seller's Property Disclosure; 500-Y - Seller's Property Disclosure; 500-Z - Seller's Property Disclosure; 500-AA - Seller's Property Disclosure; 500-AB - Seller's Property Disclosure; 500-AC - Seller's Property Disclosure; 500-AD - Seller's Property Disclosure; 500-AE - Seller's Property Disclosure; 500-AF - Seller's Property Disclosure; 500-AG - Seller's Property Disclosure; 500-AH - Seller's Property Disclosure; 500-AI - Seller's Property Disclosure; 500-AJ - Seller's Property Disclosure; 500-AM - Seller's Property Disclosure; 500-AN - Seller's Property Disclosure; 500-AO - Seller's Property Disclosure; 500-AP - Seller's Property Disclosure; 500-AQ - Seller's Property Disclosure; 500-AR - Seller's Property Disclosure; 500-AS - Seller's Property Disclosure; 500-AT - Seller's Property Disclosure; 500-AU - Seller's Property Disclosure; 500-AV - Seller's Property Disclosure; 500-AW - Seller's Property Disclosure; 500-AX - Seller's Property Disclosure; 500-AY - Seller's Property Disclosure; 500-AZ - Seller's Property Disclosure; 500-BA - Seller's Property Disclosure; 500-BB - Seller's Property Disclosure; 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500-RM - Seller's Property Disclosure; 500-RN - Seller's Property Disclosure; 500-RO - Seller's Property Disclosure; 500-RP - Seller's Property Disclosure; 500-RQ - Seller's Property Disclosure; 500-RR - Seller's Property Disclosure; 500-RS - Seller's Property Disclosure; 500-RT - Seller's Property Disclosure; 500-RU - Seller's Property Disclosure; 500-RV - Seller's Property Disclosure; 500-RW - Seller's Property Disclosure; 500-RX - Seller's Property Disclosure; 500-RY - Seller's Property Disclosure; 500-RZ - Seller's Property Disclosure; 500-SA - Seller's Property Disclosure; 500-SB - Seller's Property Disclosure; 500-SC - Seller's Property Disclosure; 500-SD - Seller's Property Disclosure; 500-SE - Seller's Property Disclosure; 500-SF - Seller's Property Disclosure; 500-SG - Seller's Property Disclosure; 500-SH - Seller's Property Disclosure; 500-SI - Seller's Property Disclosure; 500-SJ - Seller's Property Disclosure; 500-SM - Seller's Property Disclosure; 500-SN - Seller's Property Disclosure; 500-SO - Seller's Property Disclosure; 500-SP - Seller's Property Disclosure; 500-SQ - Seller's Property Disclosure; 500-SR - Seller's Property Disclosure; 500-SS - Seller's Property Disclosure; 500-ST - Seller's Property Disclosure; 500-SU - Seller's Property Disclosure; 500-SV - Seller's Property Disclosure; 500-SW - Seller's Property Disclosure; 500-SX - Seller's Property Disclosure; 500-SY - Seller's Property Disclosure; 500-SZ - Seller's Property Disclosure; 500-TA - Seller's Property Disclosure; 500-TB - Seller's Property Disclosure; 500-TC - Seller's Property Disclosure; 500-TD - Seller's Property Disclosure; 500-TE - Seller's Property Disclosure; 500-TF - Seller's Property Disclosure; 500-TG - Seller's Property Disclosure; 500-TH - Seller's Property Disclosure; 500-TI - Seller's Property Disclosure; 500-TJ - Seller's Property Disclosure; 500-TM - Seller's Property Disclosure; 500-TN - Seller's Property Disclosure; 500-TO - Seller's Property Disclosure; 500-TP - Seller's Property Disclosure; 500-TQ - Seller's Property Disclosure; 500-TR - Seller's Property Disclosure; 500-TS - Seller's Property Disclosure; 500-TT - Seller's Property Disclosure; 500-TU - Seller's Property Disclosure; 500-TV - Seller's Property Disclosure; 500-TW - Seller's Property Disclosure; 500-TX - Seller's Property Disclosure; 500-TY - Seller's Property Disclosure; 500-TZ - Seller's Property Disclosure; 500-UA - Seller's Property Disclosure; 500-UB - Seller's Property Disclosure; 500-UC - Seller's Property Disclosure; 500-UD - Seller's Property Disclosure; 500-UE - Seller's Property Disclosure; 500-UF - Seller's Property Disclosure; 500-UG - Seller's Property Disclosure; 500-UH - Seller's Property Disclosure; 500-UI - Seller's Property Disclosure; 500-UJ - Seller's Property Disclosure; 500-UM - Seller's Property Disclosure; 500-UN - Seller's Property Disclosure; 500-UO - Seller's Property Disclosure; 500-UP - Seller's Property Disclosure; 500-UQ - Seller's Property Disclosure; 500-UR - Seller's Property Disclosure; 500-US - Seller's Property Disclosure; 500-UT - Seller's Property Disclosure; 500-UY - Seller's Property Disclosure; 500-UV - Seller's Property Disclosure; 500-UW - Seller's Property Disclosure; 500-UX - Seller's Property Disclosure; 500-UY - Seller's Property Disclosure; 500-UZ - Seller's Property Disclosure; 500-VA - Seller's Property Disclosure; 500-VB - Seller's Property Disclosure; 500-VC - Seller's Property Disclosure; 500-VD - Seller's Property Disclosure; 500-VE - Seller's Property Disclosure; 500-VF - Seller's Property Disclosure; 500-VG - Seller's Property Disclosure; 500-VH - Seller's Property Disclosure; 500-VI - Seller's Property Disclosure; 500-VJ - Seller's Property Disclosure; 500-VM - Seller's Property Disclosure; 500-VN - Seller's Property Disclosure; 500-VO - Seller's Property Disclosure; 500-VP - Seller's Property Disclosure; 500-VQ - Seller's Property Disclosure; 500-VR - Seller's Property Disclosure; 500-VS - Seller's Property Disclosure; 500-VT - Seller's Property Disclosure; 500-VU - Seller's Property Disclosure; 500-VV - Seller's Property Disclosure; 500-VW - Seller's Property Disclosure; 500-VX - Seller's Property Disclosure; 500-VY - Seller's Property Disclosure; 500-VZ - Seller's Property Disclosure; 500-WA - Seller's Property Disclosure; 500-WB - Seller's Property Disclosure; 500-WC - Seller's Property Disclosure; 500-WD - Seller's Property Disclosure; 500-WE - Seller's Property Disclosure; 500-WF - Seller's Property Disclosure; 500-WG - Seller's Property Disclosure; 500-WH - Seller's Property Disclosure; 500-WI - Seller's Property Disclosure; 500-WJ - Seller's Property Disclosure; 500-WM - Seller's Property Disclosure; 500-WN - Seller's Property Disclosure; 500-WO - Seller's Property Disclosure; 500-WP - Seller's Property Disclosure; 500-WQ - Seller's Property Disclosure; 500-WR - Seller's Property Disclosure; 500-WS - Seller's Property Disclosure; 500-WT - Seller's Property Disclosure; 500-WU - Seller's Property Disclosure; 500-WV - Seller's Property Disclosure; 500-WX - Seller's Property Disclosure; 500-WY - Seller's Property Disclosure; 500-WZ - Seller's Property Disclosure; 500-XA - Seller's Property Disclosure; 500-XB - Seller's Property Disclosure; 500-XC - Seller's Property Disclosure; 500-XD - Seller's Property Disclosure; 500-XE - Seller's Property Disclosure; 500-XF - Seller's Property Disclosure; 500-XG - Seller's Property Disclosure; 500-XH - Seller's Property Disclosure; 500-XI - Seller's Property Disclosure; 500-XJ - Seller's Property Disclosure; 500-XM - Seller's Property Disclosure; 500-XN - Seller's Property Disclosure; 500-XO - Seller's Property Disclosure; 500-XP - Seller's Property Disclosure; 500-XQ - Seller's Property Disclosure; 500-XR - Seller's Property Disclosure; 500-XS - Seller's Property Disclosure; 500-XT - Seller's Property Disclosure; 500-XU - Seller's Property Disclosure; 500-XV - Seller's Property Disclosure; 500-XW - Seller's Property Disclosure; 500-XX - Seller's Property Disclosure; 500-XY - Seller's Property Disclosure; 500-XZ - Seller's Property Disclosure; 500-YA - Seller's Property Disclosure; 500-YB - Seller's Property Disclosure; 500-YC - Seller's Property Disclosure; 500-YD - Seller's Property Disclosure; 500-YE - Seller's Property Disclosure; 500-YF - Seller's Property Disclosure; 500-YG - Seller's Property Disclosure; 500-YH - Seller's Property Disclosure; 500-YI - Seller's Property Disclosure; 500-YJ - Seller's Property Disclosure; 500-YM - Seller's Property Disclosure; 500-YN - Seller's Property Disclosure; 500-YO - Seller's Property Disclosure; 500-YP - Seller's Property Disclosure; 500-YQ - Seller's Property Disclosure; 500-YR - Seller's Property Disclosure; 500-YS - Seller's Property Disclosure; 500-YT - Seller's Property Disclosure; 500-YU - Seller's Property Disclosure; 500-YV - Seller's Property Disclosure; 500-YW - Seller's Property Disclosure; 500-YX - Seller's Property Disclosure; 500-YZ - Seller's Property Disclosure; 500-ZA - Seller's Property Disclosure; 500-ZB - Seller's Property Disclosure; 500-ZC - Seller's Property Disclosure; 500-ZD - Seller's Property Disclosure; 500-ZE - Seller's Property Disclosure; 500-ZF - Seller's Property Disclosure; 500-ZG - Seller's Property Disclosure; 500-ZH - Seller's Property Disclosure; 500-ZI - Seller's Property Disclosure; 500-ZJ - Seller's Property Disclosure; 500-ZM - Seller's Property Disclosure; 500-ZN - Seller's Property Disclosure; 500-ZO - Seller's Property Disclosure; 500-ZP - Seller's Property Disclosure; 500-ZQ - Seller's Property Disclosure; 500-ZR - Seller's Property Disclosure; 500-ZS - Seller's Property Disclosure; 500-ZT - Seller's Property Disclosure; 500-ZU - Seller's Property Disclosure; 500-ZV - Seller's Property Disclosure; 500-ZW - Seller's Property Disclosure; 500-ZX - Seller's Property Disclosure; 500-ZY - Seller's Property Disclosure; 500-ZZ - Seller's Property Disclosure; 500-AA - Seller's Property Disclosure; 500-AB - Seller's Property Disclosure; 500-AC - Seller's Property Disclosure; 500-AD - Seller's Property Disclosure; 500-AE - Seller's Property Disclosure; 500-AF - Seller's Property Disclosure; 500-AG - Seller's Property Disclosure; 500-AH - Seller's Property Disclosure; 500-AI - Seller's Property Disclosure; 500-AJ - Seller's Property Disclosure; 500-AM - Seller's Property Disclosure; 500-AN - Seller's Property Disclosure; 500-AO - Seller's Property Disclosure; 500-AP - Seller's Property Disclosure; 500-AQ - Seller's Property Disclosure; 500-AR - Seller's Property Disclosure; 500-AS - Seller's Property Disclosure; 500-AT - Seller's Property Disclosure; 500-AU - Seller's Property Disclosure; 500-AV - Seller's Property Disclosure; 5

RESPONDENT'S REAL PROPERTY

Lots 7 and 8 in Block 44, GRANDVIEW ADDITION TO BONANAZA, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM the Southerly 51 feet thereof TOGETHER WITH A 1968 KIT MOBILE HOME with license plate #X91256 which is situate on the real property described herein.

Southwest 51 feet of Lots 7 and 8, Block 44, GRANDVIEW ADDITION TO BONANAZA according to the official plat thereof on file in the office of Klamath County Clerk of Klamath County, Oregon, TOGETHER WITH A 1979 SANTE KIT MOBILE HOME with license plate #X151634 which is situate on the real property described herein.

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Dottie Hortshorn the 3rd day of February A.D. 1999 at 1:56 o'clock P. M., and duly recorded in Vol. M99 of Deeds on Page 4082.

FEE \$35.00

Return: Dottie Hortshorn
5004 Mazama Dr.
KFO 97603

Linda Smith, County Clerk

by Kathleen Ross

\$20.00 Non-
Standard