

Unless Otherwise Requested, All
Tax Statements Shall Be Sent To:
William Andrew Cottrell
145018 Corral Court
LaPine OR 97739

2010-011776
Klamath County, Oregon



00091224201000117760030033

10/05/2010 01:58:47 PM

Fee: \$47.00

AFTER RECORDING, RETURN TO:
Bryant, Emerson & Fitch
P.O. Box 457
Redmond, OR 97756

MEMORANDUM OF REAL ESTATE CONTRACT OF SALE

KNOW ALL MEN BY THESE PRESENTS, that notice is hereby given to whom it may concern that under and by virtue of a certain agreement of sale dated September 14, 2010, for and in consideration of the sum of \$99,000, TERRY J. BARKER and KATHIE J. BARKER, husband and wife, agreed to sell to WILLIAM ANDREW COTTRELL in the following described real property located in Klamath County, State of Oregon:

LOT 15 in Block 2 of TRACT 1098 SPLIT RAIL RANCHES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

aka: 145018 Corral Court, LaPine, Oregon

Subject to the exceptions attached hereto as Exhibit A and incorporated herein by reference.

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 THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS SUBJECT TO SPECIAL ASSESSMENT UNDER ORS 358.505.

DATED this 14th day of September, 2010.

SELLER:

Terry J. Barker

Kathie J. Barker

PURCHASER:

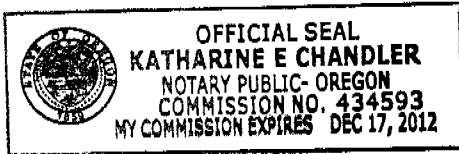
William Andrew Cottrell

STATE OF OREGON)

: ss.

County of Deschutes)

Personally appeared before me this 14th day of September, 2010, the above-named WILLIAM ANDREW COTTRELL, and acknowledged said instrument to be his voluntary act and deed.



Katharine E. Chandler
Notary Public for Oregon

STATE OF HAWAII)

: ss.

County of Hawaii)

Personally appeared before me this 20th day of September, 2010, the above-named TERRY J. BARKER and KATHIE J. BARKER, husband and wife, and acknowledged said instrument to be their voluntary act and deed.

Toni Claire Hansen
Notary Public for Hawaii

NOTARY CERTIFICATION	
Doc. Date: <u>9-20-10</u>	# Pages: <u>3</u>
Name: <u>Toni Claire Hansen Third Circuit</u>	
Doc. Description: <u>Memorandum of Real Estate Contract Sale</u>	
Signature: <u>Toni Claire Hansen</u>	
Date: <u>9-20-10</u>	

EXHIBIT A

1. 2010-2011 Real Property Taxes, a lien in an amount to be determined, but not yet payable.
Levy Code: 051 Map No.: R-2310-035A0-03200-000 Key No.: R137701

The subject property lies within the boundaries of the Fire Patrol District and is subject to the levies and assessments thereof.
2. Reservation of mineral rights, and the easement implied thereby above and below the surface of the ground for the extraction of such minerals, contained in deed,
Recorded: July 22, 1954
Book: 268
Page: 209
Reservation of: It is agreed that the sellers retain an undivided one-half interest in all of the mineral, oil and gas rights on the premises, together with the privilege of ingress and egress for the purpose of taking and removing the same.
3. Conditions, restrictions and/or setbacks, as shown on the recorded plat of Tract 1098, Split Rail Ranchos.
4. Setbacks, as shown on the recorded plat,
Affects: 45 foot building set back from front lot line.
5. Easements as delineated on the recorded plat,
For: 16 foot public utility easement along back lot line.
6. Covenants, conditions, restrictions, easements, and/or setbacks, imposed by instrument, including the terms and provisions thereof,
Recorded: April 1, 1994
Book: M-94
Page: 9622

NOTE: This exception omits from said instrument any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 USC 3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 USC 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.
7. Covenants, conditions, restrictions, easements, and/or setbacks, imposed by instrument, including the terms and provisions thereof,
Recorded: April 15, 1994
Book: M-94
Page: 11266

NOTE: This exception omits from said instrument any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 USC 3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 USC 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.
8. An easement created by instrument, including the terms and provisions thereof,
Dated: March 1, 1994
Recorded: April 26, 1994
Book: M-94
Page: 12651
In favor of: Midstate Electric Cooperative, Inc., a Cooperative
For: Electrical distribution lines and equipment, 15 feet in width on each side of all roads shown on the plat map, and 10 feet in width along all other property lines.
9. An easement created by instrument, including the terms and provisions thereof,
Dated: June 17, 1975
Recorded: February 10, 2000
Book: M-00
Page: 4330
In favor of: Midstate Electric Cooperative, Inc., a cooperative corporation
For: Electric transmission or distribution line or system

BRYANT, EMERSON & FITCH, LLP
ATTORNEYS AT LAW
888 S.W. EVERGREEN AVENUE
P.O. BOX 457
REDMOND, OREGON 97756-0103
TELEPHONE (541) 548-2151
FAX (541) 548-1895