

UTC 88812

2010-012905

Klamath County, Oregon



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11/03/2010 03:30:54 PM

Fee: \$52.00

After recording return to:

David Springer
505 Norway Street
Silverton, OR 97381-1246

Until change requested send all tax
statements to:

Bryan H. and Michelle L. Carlile
1102 North Springbrook Rd, #194
Newberg, OR 97132

MEMORANDUM OF LAND SALE CONTRACT

THIS MEMORANDUM, made this 2 day of NOV., 2010, by and between David Springer, as vendor, and Bryan H. Carlile and Michelle L. Carlile, husband and wife, as purchasers, for recording purposes, acknowledges that a contract for the sale of real property, dated the 2 day of NOV., 2010, was entered into wherein the total consideration is the sum of \$110,000.00 payable in installments as therein stated. The interest conveyed to the purchasers is equitable title in the following described real property, to wit:

Lot 5 of Block 8 of Wagon Trail Acreages, No. 1, Second Addition, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT TO:

1. Taxes of assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public record; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public record.
2. Any fact, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records, reservations of exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land),

52Amf

encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.

5. The subject property lies within the boundaries of the Fire Patrol District and is subject to the levies and assessments thereof.
6. Conditions, restrictions and/or setbacks, as shown on the recorded plat of Wagon Trail Acreages No. One, Second Addition.
7. Easements as delineated on the recorded plat

For: 20 foot utility easement centered on back lot line

8. Covenants, easements, restrictions and/or reservations contained in the patent,

Dated: January 29, 1920

Recorded: June 1, 1920

Book: 52

Page: 547

As follows: "...subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

9. Covenants, conditions, restrictions, easements, and/or setbacks, imposed by instrument, including the terms and provisions thereof,

Recorded: August 30, 1972

Book: M-72

Page: 9766

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 provide 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.

The said covenants, conditions, restrictions, easements, and/or setbacks were amended by instrument,

Recorded: July 30, 1975
Book: M-75
Page: 8741

(Declaration subjecting Wagon Trail Acreages #1, Second Addition to the Declarations, Restrictions, Protective Covenants and Conditions of Wagon Trail Ranch)

The said covenants, conditions, restrictions, easements, and/or setbacks were amended by instrument,

Recorded: January 5, 1977
Book: M-77
Page: 207

The said covenants, conditions, restrictions, easements, and/or setbacks were amended by instrument,

Recorded: July 30, 1977
Book: M-77
Page: 210


Assessments of the Wagon Trail Ranch Property Owners Association as provided in the bylaws, if any, or the covenants, conditions and restrictions shown above. (current)

and said contract is in full force and effect between the vendor and the purchaser herein.


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.

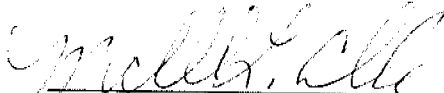
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 2 day of NOV., 2010.



David Springer, Vendor

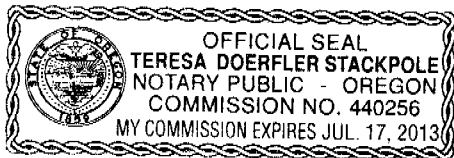


Bryan H. Carlile, Purchaser



Michelle L. Carlile, Purchaser

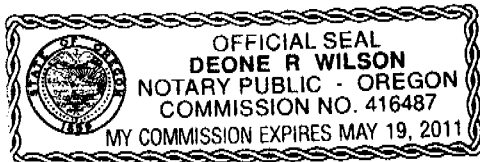
STATE OF OREGON, County of Marion)ss.
On the 28 day of October, 2010, personally appeared before me the above-named David Springer and acknowledged the foregoing instrument to be his voluntary act and deed.

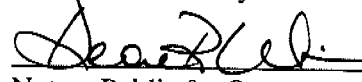




Notary Public for Oregon


STATE OF OREGON, County of Marion)ss.
On the 2 day of November, 2010, personally appeared before me the above-named Bryan H. Carlile, and acknowledged the foregoing instrument to be his voluntary act and deed.





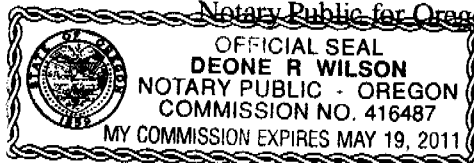
Notary Public for Oregon

STATE OF OREGON, County of Marion)ss.
On the 2 day of November, 2010, personally appeared before me the above-named ~~Bryan~~ Michelle L. Carlile H. Carlile, and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary Public for Oregon

[Springer/2010 9-20 Memo of Contract]



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Martinis & Hill
110 Madrona Avenue S.E., Salem, Oregon 97302
Mailing Address: PO Box 3938, Salem, Oregon 97302
Phone: 503-566-5800