



2013-012953

Klamath County, Oregon

11/19/2013 12:44:39 PM

Fee: \$67.00

Recording requested by and
After recording return to:
Lakewoods Owners Association
7935 Snowpack Circle
Klamath Falls, OR 97602

Until a change is requested, all tax
Statements shall be sent to:
Keno Rural Fire Protection Dist.
PO Box 10
Keno, OR 97627

MEMORANDUM OF RIGHT OF FIRST REFUSAL

DATE: November 1, 2013 ("Effective Date")

FROM: KENO RURAL FIRE PROTECTION DISTRICT ("Grantor")
PO Box 10
Keno, OR 97627

TO: LAKEWOODS OWNERS ASSOCIATION ("Grantee")
7935 Snowpack Circle
Klamath Falls, OR 97601

Pursuant to a "Right of First Refusal," dated November 1, 2013, Grantor has granted to Grantee a right of first refusal to purchase Owner's interest in that certain parcel of real property located in Klamath County, Oregon, and more specifically described on Exhibit "A," attached hereto and made a part hereof, and as further depicted on Exhibits "B," "C," and "D," all attached hereto and made a part hereof, together with all improvements situated on it.

The true and actual consideration for the Right of First Refusal is other property or value given.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS 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 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 DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE

67.00

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the parties have caused this Memorandum to be executed as of the day and year first written above.

GRANTOR

GRANTEE

KENO RURAL FIRE PROTECTION DISTRICT

LAKEWOOD OWNERS ASSOCIATION

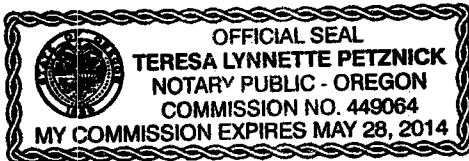
Keno Rural Fire Protection Dist.
By: Gerald Fitzgerald
Its: chairman

Lakewoods Owners Assoc.
By: Mary A. Curry
Its: Secretary

STATE OF OREGON)
County of Klamath)

ss.

On the 13th day of November, 2013, personally appeared the above-named Gerald Fitzgerald, as chairman of KENO RURAL FIRE PROTECTION DISTRICT.



BEFORE ME:

Teresa Petznick
Notary Public for Oregon
My commission expires: 5/28/2014

STATE OF OREGON)
County of Jackson)

ss.

On the 15th day of Nov., 2013, personally appeared the above-named Mary A. Curry, as Secretary of LAKEWOODS OWNERS ASSOCIATION.



BEFORE ME:

Kathleen N. Roehl
Notary Public for Oregon
My commission expires: 11-19-2016

EXHIBIT "A"

PARCEL 1

All that certain real property located in the Northeast One-quarter of Section 5, Township 38 South, Range 5 East of the Willamette Meridian, being a Re-plat of Lots 33, 34 and 35, Block 1 of Tract Number 1077, Lakewoods Subdivision Unit Number 3, recorded October 2, 1973 in Volume 20 at Page 20 of the Plat Records of Klamath County, Oregon, more particularly described as follows:

Parcel 1, according to Land Partition 19-13, filed for record on the 21 October, 2013, on file in the office of the County Clerk, Klamath County, Oregon and filed as Survey Number 2013-11900 in the Klamath County Surveyor's office.

Containing 0.56 acres, more or less.

SUBJECT TO AND TOGETHER WITH, a 30-foot wide shared Access Easement, being over, through and across portions of Parcels 1 and 2 of said partition plat, for the use and benefit of said parcels, the exterior boundary of said easement is more particularly described as follows and as depicted on the attached Exhibit B, by this reference made a part herewith:

Beginning at the corner common to Parcels 1 and 2 of said Partition Plat 19-13, being a point on the southerly right-of-way of Timber Circle, a public street; thence North 51°20'21" East, along said right-of-way and north boundary of Parcel 1, 10.01 feet; thence leaving said right-of-way and boundary, South 36°46'37" East, 95.49 feet; thence South 53°13'23" West, 10.00 feet to intersect the common boundary of said Parcels 1 and 2; thence continuing South 53°13'23" West, 30.00 feet; thence North 36°46'37" West, 30.00 feet; thence North 53°13'23" East, 10.00 feet; thence North 36°46'37" West, 64.51 feet to intersect the north boundary of said Parcel 2 and the southerly right-of-way of Timber Circle; thence North 51°20'21" East, along said north boundary and southerly right-of-way, 20.01 feet to the Point of Beginning.

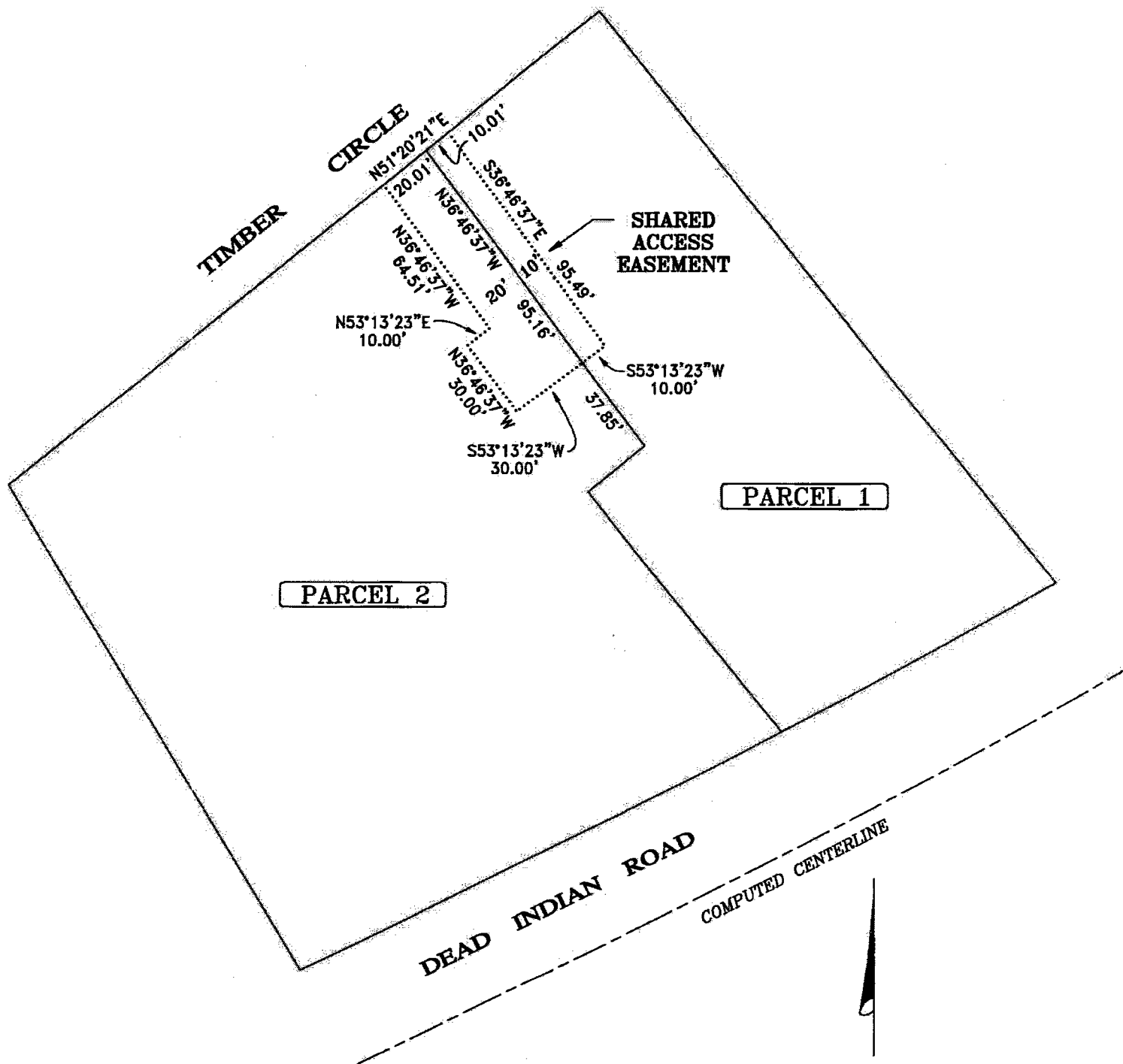
Containing 3,150 square feet, more or less (953 square feet, more or less on Parcel 1 and 2,197 square feet, more or less on Parcel 2)

ALSO, TOGETHER WITH, a 20-foot wide shared Sanitary Sewer Easement, being over, through and across a portion of Parcel 2 of said partition plat, for the use and benefit of Parcels 1 and 2 thereof, the exterior boundary of said easement is more particularly described as follows and as depicted on the attached Exhibit C, by this reference made a part herewith:

Commencing at the corner common to Parcels 1 and 2 of said Partition Plat 19-13, being a point on the southerly right-of-way of Timber Circle, a public street; thence South 36°46'37" East, along the common boundary of said parcels, 133.01 feet to an angle point thereof and being the **True Point of Beginning**; thence South 51°01'58" West, continuing along said common boundary and the extension thereof, 40.23 feet; thence South 38°58'02" East, 58.00 feet; thence South 51°01'58" West, 20.00 feet; thence North 38°58'02" West, 78.00 feet; thence North 51°01'58" East, 61.00 feet to a point on aforesaid common boundary of Parcels 1 and 2; thence South 36°46'37" East, along said common boundary, 20.01 feet to the Point of Beginning.

Containing 2,372 square feet, more or less.

EXHIBIT "B"



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert V. Neathamer

OREGON
JULY 19, 1994
ROBERT V. NEATHAMER
2675

Renewal Date 12/31/14

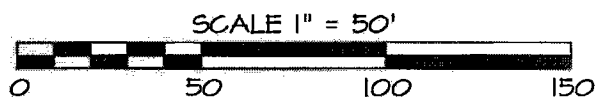
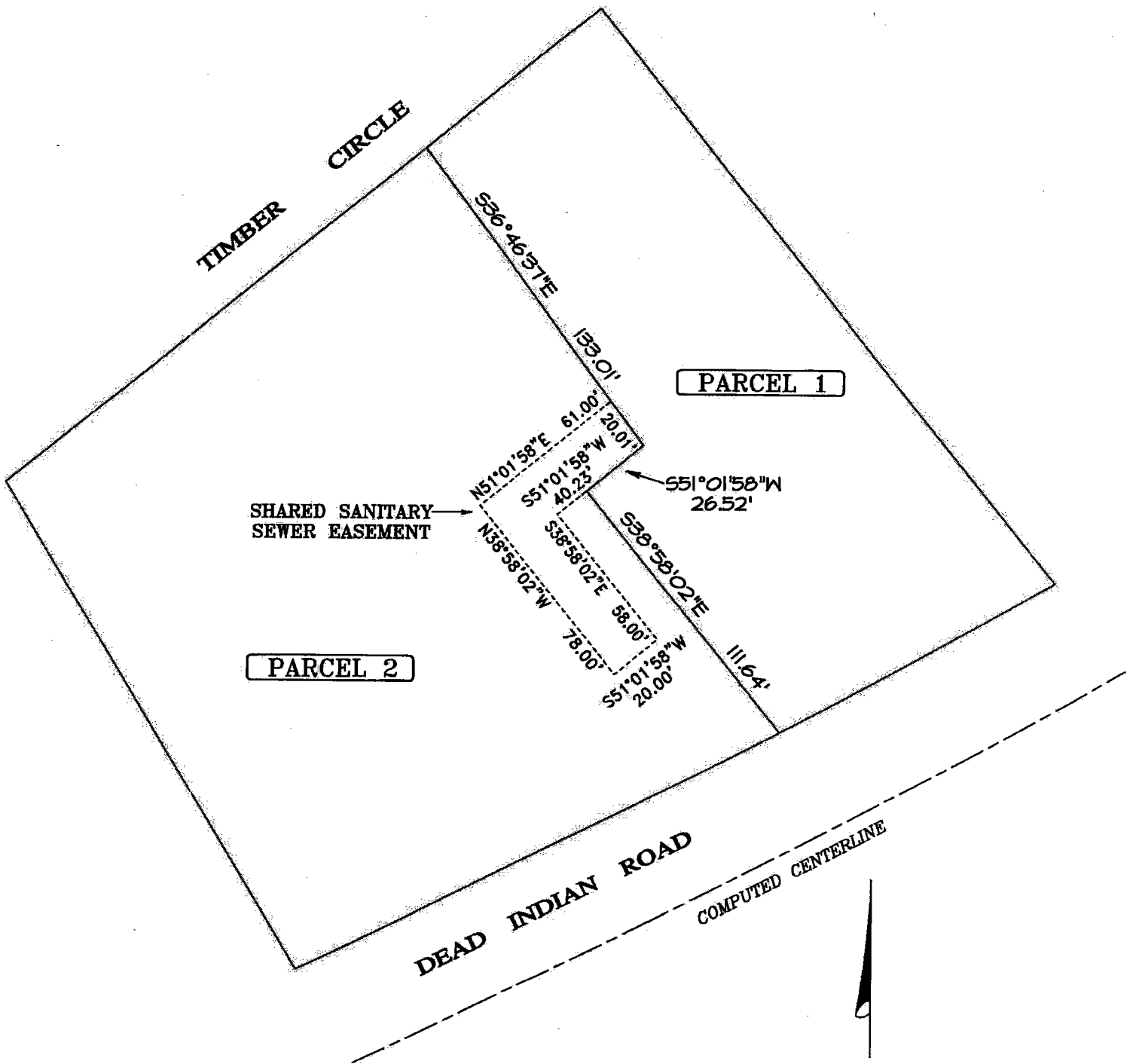


EXHIBIT "C"



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert V. Neathamer

OREGON
JULY 19, 1994
ROBERT V. NEATHAMER
2675

Renewal Date 12/31/14

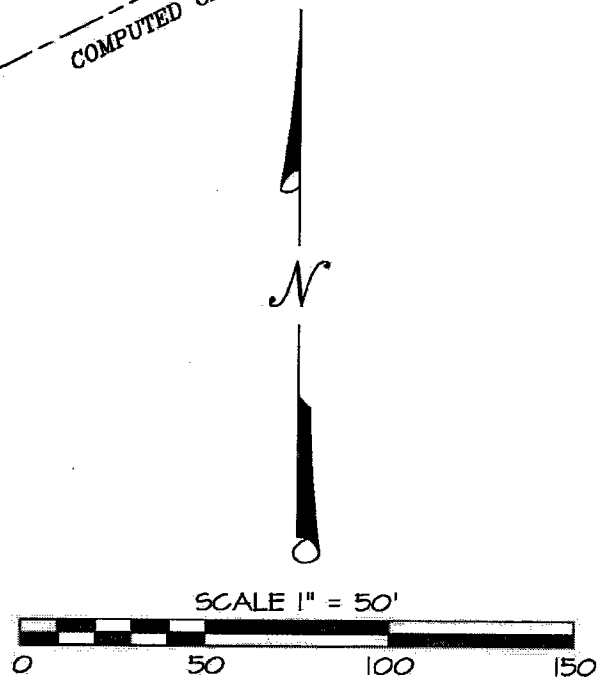
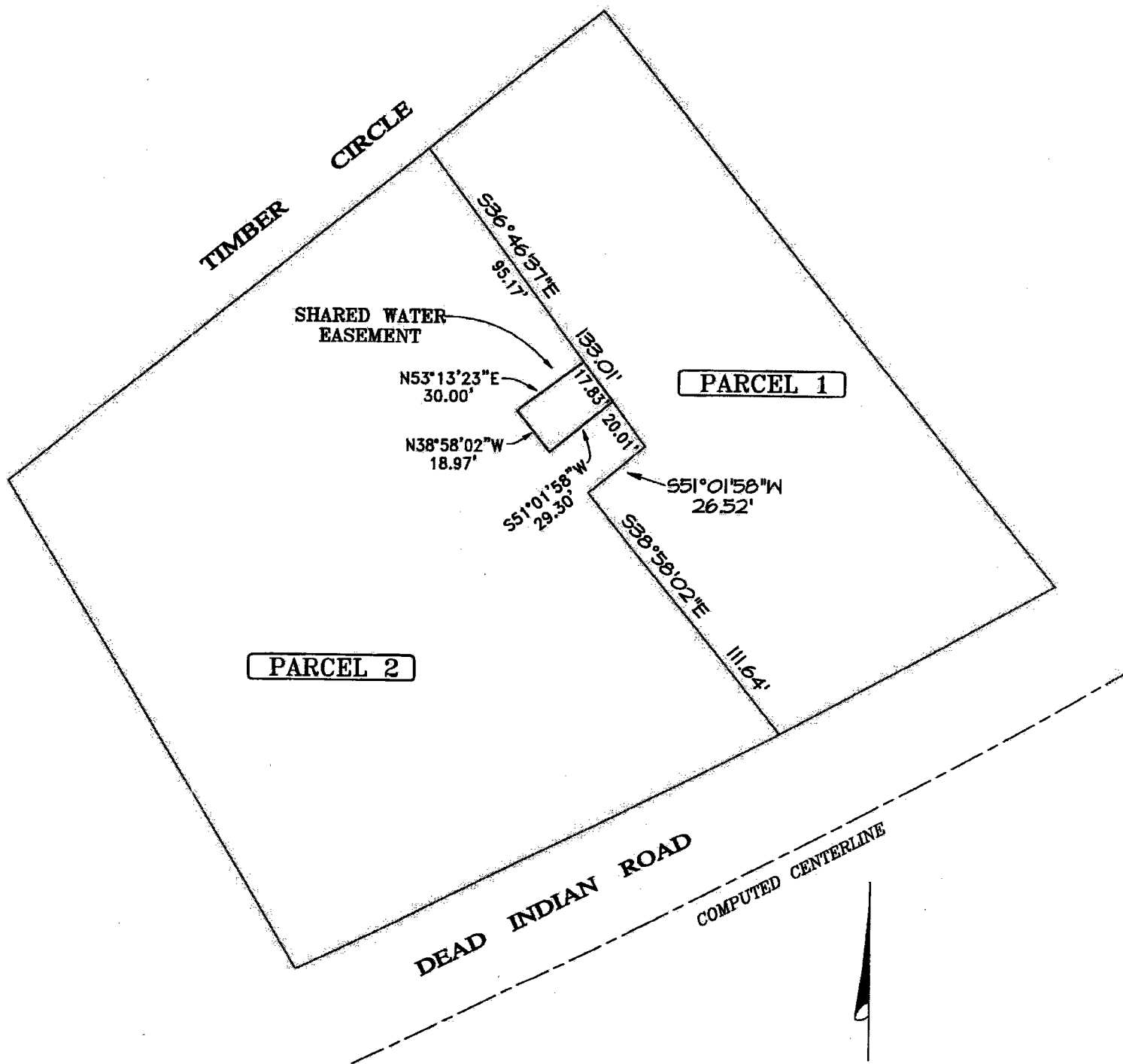


EXHIBIT "D "

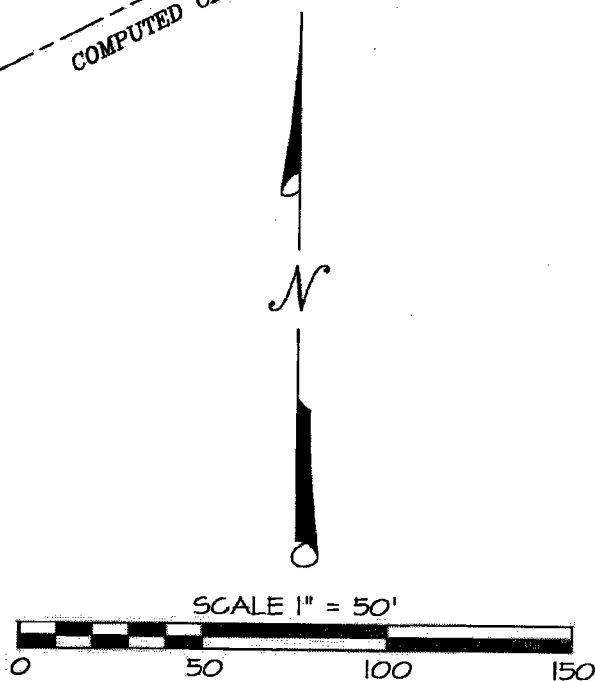


REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert V. Neathamer

OREGON
JULY 19, 1994
ROBERT V. NEATHAMER
2675

Renewal Date 12/31/14



TOGETHER WITH, a Water Easement, being over, through and across a portion of Parcel 2 of said partition plat, the exterior boundary of said easement is more particularly described as follows and as depicted on the attached Exhibit D, by this reference made a part herewith:

Commencing at the corner common to Parcels 1 and 2 of said Partition Plat 19-13, being a point on the southerly right-of-way of Timber Circle, a public street; thence South $36^{\circ}46'37''$ East, along the common boundary of said parcels, 95.17 feet to the **True Point of Beginning**; thence continuing along said common boundary, South $36^{\circ}46'37''$ East, 17.83 feet; thence leaving said common boundary, South $51^{\circ}01'58''$ West, 29.30 feet; thence North $38^{\circ}58'02''$ West, 18.97 feet; thence North $53^{\circ}13'23''$ East, 30.00 feet to the Point of Beginning.

Containing 545 square feet, more or less.

Basis of bearings for this description is Tract No 1077, Lakewoods Subdivision Unit No 33. Basis applied between the southwest corner Lot 33, Block 1, to the Initial Point thereof (being common with the northwest corner Lot 8, Block 5), with a resultant measurement of North $59^{\circ}26'14''$ East, 1782.18 feet.

Prepared by:
Neathamer Surveying, Inc.
3126 State Street, Suite 203
PO Box 1584
Medford, OR 97501
Phone: 541-732-2869
Facsimile: 541-732-1382

Date: October 28, 2013



Robert V. Neathamer



RENEWAL DEC. 31, 2014