

494/19 Am (do)

After recording, return to:

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300 Klamath Ave.
Klamath Falls, OR 97601

Send Tax Statements to:

Donnie Heaton, Jr.
P.O. Box 781
Merrill, OR 97633

2021-018429

Klamath County, Oregon

12/13/2021 02:49:01 PM

Fee: \$107.00

Seller:

Jeffrey Merle Smith and
Cathlene Lou Kenstler
747 Pearl Court
Glenhaven, CA 65443

Purchaser:

Donnie Heaton, Jr.
P.O. Box 781
Merrill, OR 97633

MEMORANDUM OF CONTRACT OF SALE

Pursuant to a Contract of Sale dated 11-17-, 2021, Seller sold to Purchaser Seller's interest in that certain property in Klamath County, Oregon, more particularly described in the attached Exhibit A. If not earlier paid, all amounts owed under the Contract of Sale will be due and payable on December 1, 2031. The true and actual consideration for this conveyance is \$275,000.00.

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, 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. 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,

Notary Public for Oregon
My commission expires: 3/22/25

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

Cathlene Lou Kenstler
Cathlene Lou Kenstler

STATE OF OREGON)
) ss
County of Klamath)

Personally appeared before me this ____ day of _____, 2021, the above-named Donnie Heaton, Jr., and acknowledge the foregoing instrument to be his voluntary act. Before me:

Notary Public for Oregon
My commission expires:

ACKNOWLEDGEMENT

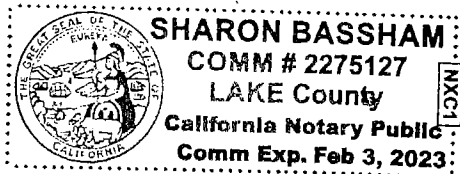
A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA)
) ss.
County of Lake)

On Oct 28, 2021, before me, Sharon Bassham, Notary Public, personally appeared Jeffrey Merle Smith, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument is the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Sharon Bassham
Notary Public for California
My Commission Expires: 2-3-2023

ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA)
) ss.
County of San Luis Obispo)

On 10/27/2021, 2021, before me, Denissa Jensen, Notary Public, personally appeared Cathlene Lou Kenstler, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument is the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Denissa Jensen
Notary Public for California
My Commission Expires: 08-08-2024

EXHIBIT "A"

PARCEL ONE:

Portion of Tract 53, Merrill Tracts, as follows: Commencing at a point 40 feet South and 50 feet West of the corner common to Sections 1, 2, 11 and 12 in Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence West 100 feet; thence South 100 feet; thence East 100 feet; thence North 100 feet to the point of beginning.

PARCEL TWO:

A piece of parcel of Tracts 52 and 53 of Merrill Tracts, the plat whereof is on file and of record in the office of the County Clerk of Klamath County, Oregon, located in the City of Merrill, Oregon and more particularly described as follows:

Beginning at a point in the Northerly boundary of said Tract 52, which is also the Southerly line of Front Street in the said City of Merrill, Oregon, said point being 28.5 feet distant Westerly along the said Northerly boundary of the said Tract 52, from the Northeasterly corner of the said Tract 52; thence Southerly and parallel with the Easterly boundary of the said Tract 52; 125.0 feet; thence Easterly and parallel with the Northerly boundaries of the said Tracts 52 and 53 and which is also the Southerly line of Front Street, 44.5 feet; thence Northerly and parallel with the said Easterly boundary of the said Tract 52 (which is also the Westerly boundary of the said Tract 53) 125.0 feet, more or less, to a point in the Northerly boundary of said Tract 53 (which is also the Southerly line of Front Street) thence Westerly along the said Northerly boundaries of the said Tracts 53 and 52, 44.5 feet, more or less, to the point of beginning.