

FILE # 161 PAGE 1701

MEMORANDUM OF LAND-SALE CONTRACT

KNOW ALL MEN BY THESE PRESENTS, that on January 31, 1981,
George O. Butcher and Ruth E. Butcher, husband and wife as vendor(s) and
Carolyn Hiatt as vendee(s)
 made and entered into a certain land-sale contract wherein said vendor(s) agreed to sell to said vendee(s) and the
 latter agreed to purchase from said vendor(s) the fee-simple title in and to the following described real property in
Yamhill County, State of Oregon, to-wit:

See attached Legal Description

The true and actual consideration for the transfer, set forth in said contract, is \$36,500.00, payable \$2,000.00
 down on the signing of said contract and the balance payable in ☒ monthly, ☐ quarterly, ☐ semi-annual, ☐ annual
 installments (indicate which) of not less than \$268.07 each; all deferred payments bear interest at the rate
 of 10 % per annum from the date of said contract until paid, plus balloon payment of \$5,000.00
 In Witness Whereof the said vendor(s) has executed this memorandum 19, 1981

NOTE: The foregoing memorandum shall be recorded by the conveyor not later
 than 15 days after the 'land-sale contract' is executed and the parties are
 bound thereby. ORS 93.635.

STATE OF OREGON,)
 County of Yamhill) ss.
February 5, 1981

Personally appeared the above named
George O. Butcher and Ruth
E. Butcher, husband and wife

and acknowledged the foregoing instru-
 ment to be their voluntary act and deed.

Notary Public for Oregon
 My commission expires: 6/5/83

George O. Butcher
Route 3, Box 165
Newberg, Oregon 97132
 VENDOR'S NAME AND ADDRESS

Carolyn Hiatt
10635 S. W. Murdock, Ln#E-6
Tigard, Oregon 97223
 VENDEE'S NAME AND ADDRESS

After recording return to:

Swift & Swift Attorneys
P. O. Box 268
Newberg, Oregon 97132
 NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Same as Vendee above

NAME, ADDRESS, ZIP

STATE OF OREGON, County of _____) ss.
 _____, 19____

Personally appeared _____ and
 _____ who, being duly sworn,
 each for himself and not one for the other, did say that the former is the
 president and that the latter is the
 secretary of _____

_____ a corporation,
 and that the seal affixed to the foregoing instrument is the corporate seal
 of said corporation and that said instrument was signed and sealed in be-
 half of said corporation by authority of its board of directors; and each of
 them acknowledged said instrument to be its voluntary act and deed.
 Before me:

Notary Public for Oregon
 My commission expires:

(OFFICIAL
 SEAL)

04661 STATE OF OREGON

15.00

County of Yamhill) ss.

I certify that the within instru-
 ment was received for record on the
16 day of June, 1981,
 at 4:14 o'clock P.M., and recorded
 in book 161 on page 1701 or as
 file/reel number _____

Record of Deeds of said county.

Witness my hand and seal of
 County affixed.

CHARLES STARR, COUNTY CLERK

By Jami Christie Recording Officer
 Deputy.

Pioneer National Title Insurance Company

ATTACHED LEGAL DESCRIPTION, BUTCHER - HIATT

The real property sold in the above transaction is situated lying and being in Yamhill County, State of Oregon, and more particularly described as follows:

Beginning at a point 990 feet east of the southwest corner of the southwest quarter of the northeast quarter of Section 5, Township 3 South, Range 2 West of the Willamette Meridian in said Yamhill County, Oregon; thence east 300 feet; thence north 830 feet parallel with and 30 feet distant from the east boundary of the southwest quarter of the northeast quarter of said Section 5, Township 3 South, Range 2 West of the Willamette Meridian; thence east 30 feet to said east boundary of the southwest quarter of the northeast quarter of said Section 5, thence south along said east boundary of said southwest quarter of the northeast quarter of said Section 5, 830 feet to the southeast corner of the southwest quarter of the northeast quarter of said Section 5; thence east along the south boundary of the southeast quarter of the northeast quarter of said Section 5, 610.5 feet to the northeast corner of a parcel of land described as Tract II in a written Contract of Sale wherein Charles W. Scott and Doris I. Scott, husband and wife, were the vendors and George O. Butcher and Leonard L. Silvers were the vendees, and which was dated June 26, 1972 and recorded June 30, 1972 in Film Volume 90 on Page 110, Yamhill County Deed and Mortgage Records; thence south along the east boundary of said Tract II, 440.22 feet to the southeast corner of said Tract II; thence west along the south boundary of said Tract II 940.5 feet to a point; thence north 440.22 feet to the place of beginning.

Together with a non-exclusive easement for a roadway for travel and transportation and for the installation, replacement, maintenance and repair of utilities for the exclusive use of the owners and occupants of all or any part of the Scott Tracts and their successors in interest. Said easement is described as follows:

Easement #2. Beginning at a point on the east boundary of the southwest quarter of the northeast quarter of said Section 5, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, which is 830 feet north of the southeast corner of said southwest quarter of the northeast quarter of said Section 5 and running thence north along said east boundary of said southwest quarter of the northeast quarter of Section 5, 60 feet to a point; thence west 30 feet; thence south parallel with and 30 feet distant from said east boundary of the southwest quarter of the northeast quarter of said Section 5, 60 feet to a point; and thence east 30 feet to the place of beginning.

SUBJECT TO THE FOLLOWING:

1. A non-exclusive easement for a roadway for travel and transportation, and for the installation, replacement, maintenance and repair of utilities for the exclusive use of the owners and occupants of all or any part of the tract of land described in said Contract of Sale, Scott to Butcher and Silvers, recorded June 30, 1972 in Film Volume 90 on Page 110, Yamhill County Deed and Mortgage Records, herein called the "Scott Tracts" and their successors in interest, described as follows:

Beginning at the southeast corner of the southwest quarter of the northeast quarter of Section 5, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon; thence south 30 feet; thence west parallel with and 30 feet distant from the south boundary of said southwest quarter of the northeast quarter of said Section 5, Township 3 South, Range 2 West of the Willamette Meridian 330 feet; thence north 30 feet to said south boundary of said southwest quarter of the northeast quarter of Section 5; thence east 300 feet along said south boundary of said southwest quarter of the northeast quarter of Section 5; thence north parallel with and 30 feet distant from the east boundary of said southwest quarter of the northeast quarter of said Section 5, 830 feet to intersect the westerly extension of the south boundary of a tract of land described as Parcel 1 in a Deed from A. E. Hunt, Jr. and Jean R. Hunt, husband and wife, to Yamhill County, Oregon, dated March 28, 1973, recorded April 27, 1973 in Film Volume 94, on Page 356; thence east along said extension of said south boundary of said tract conveyed to Yamhill County, Oregon, 30 feet to the east boundary of said southwest quarter of the northeast quarter of said Section 5; thence south along said east boundary of said southwest quarter of the northeast quarter of said Section 5 to the place of beginning, hereinafter referred to as Easement #1.

All of the foregoing described real property is subject to the rights of the public in streets, roads and highways, and also subject to an easement from Charles W. Scott, et ux, to Portland General Electric Company, recorded February 2, 1967 in Film Volume 57 on Page 897, Yamhill County Deed and Mortgage Records, and SUBJECT ALSO to the reservation by George O. Butcher and Ruth E. Butcher, husband and wife, Vendors, of all minerals and mineral rights situated in, on or under the real property hereby sold, together with all necessary rights of access for the development, use and removal of said minerals and mineral rights, said minerals and mineral rights being hereby expressly reserved.

The said roadway easements and each of them are intended for private roadways for the purposes aforesaid, and they and each of them are intended to be appurtenant to said Scott Tracts, and all parcels of real property into which said Scott Tracts may be hereafter divided, EXCEPTING AND RESERVING unto all owners and occupants of all or any part of said Scott Tracts and their successors in interest the right to use said easements and each of them for the aforesaid purposes in common with all remaining owners, occupants and successors in interest of said Scott Tracts and any part thereof.

Said Carolyn Hiatt and her Guarantor, Allen Vaughan, and each of them understand and agree that the improvement of Easement #2 and that portion of Easement #1 extending north and south so as to create a good, usable, all-weather rock road to connect with the County Road is their obligation. Said Purchaser and Guarantor further agree that future maintenance of said Easement #2 and said north-south portion of Easement #1 is their obligation in common with all remaining owners and occupants of said Scott Tracts and any part thereof.

Said Purchaser and Guarantor further agree that in the event that any person shall use either of said easements or any part thereof for the purpose of installing, replacing, maintaining or repair of utilities, then and in that event, the person so using said easement shall promptly restore it to its former condition.

ENTERED

FILED
YAMHILL COUNTY, OREGON

JUL 16 3 42 PM '81

38 480

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON

2 FOR THE COUNTY OF YAMHILL

3 In the Matter of the Marriage of

4 RUBY JANET GROSS,

5 and

6 EARL "GENE" GROSS,

7

8 Petitioner alleges:

9

I

10 No other domestic relations suit or support petition involv-
11 ing this marriage is pending in any other court.

12

II

13 Petitioner has been a resident of and domiciled in Oregon
14 continuously for the past six months.

15

III

16 Irreconcilable differences between the parties have caused
17 the irremediable breakdown of the marriage.

18

IV

19 Relevant data is as follows:

20

HUSBAND: EARL "GENE" GROSS

21

Address: Route 3, Box 164
McMinnville, OR 97128 (Bus. Address)

22

Age: 47

23

Social Security No.: 543-34-8748

24

WIFE: RUBY JANET GROSS

25

Address: 1247 Michelbook Lane
McMinnville, OR 97128

26

Maiden Name: Schlaht

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