

O.T.C.

67-344

15464

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ASSIGNMENT OF CONTRACT

67-344

1 KNOW ALL MEN BY THESE PRESENTS, That GEORGE F. CRAIN and DOROTHY LUCILLE
2 CRAIN, husband and wife, hereinafter referred to as Assignors, in consideration
3 of Ten Dollars and other valuable considerations to them in hand paid by CHARLES
4 ALLEN FISHER and MARYLOU FISHER, husband and wife, and CHAUNCEY ALLEN FISHER and
5 FLORENCE M. FISHER, husband and wife, hereinafter referred to as Assignees, do by
6 these presents sell, transfer and assign unto said Charles Allen Fisher and
7 Marylou Fisher, not as tenants in common but with the right of survivorship as
8 to an undivided one-half interest, and unto said Chauncey Allen and Florence M.
9 Fisher, not as tenants in common but with the right of survivorship, as to an
10 undivided one-half interest, an undivided one-half interest in and to that cer-
11 tain contract dated September 25, 1961, wherein Floyd A. Buck and Jennie M.
12 Buck, husband and wife, agreed to sell and Assignors agreed to buy real property
13 in Klamath County, Oregon, described as follows:

14 Beginning at an iron pin which is 30 feet North and 30 feet East of a brass
15 plug marking the intersection of the centerline of the Klamath Falls-Lakeview
16 Highway and a county road to the North and South along the section line be-
17 tween Sections 1 and 2, Twp. 39 S., R. 9 E.W.M.; thence East 1320.0 feet to
18 an iron pipe marking the East boundary of a North-South County Road
19 (Patterson St.) and the South boundary of a county road (Simmers Ave.) to
20 the East; thence along the South boundary of said county road to the East,
21 N. 88°55' E. 1352.8 feet to an iron pipe marking the center of said Section
22 1; thence N. 0°58'50" W. along the North-South centerline of said Section 1,
23 a distance of 791.2 feet to the true point of beginning; thence S. 88°55' W.
24 397.8 feet to an iron pipe; thence S. 88°55' W. 20.3 feet to the centerline
25 of the Enterprise Irrigation District Canal; thence along said centerline,
26 N. 34°53' W. 33.4 feet; thence N. 10°24' W. 182.8 feet; thence N. 21°41'
27 W. 76.3 feet; thence N. 47°21' W. 12.5 feet to a point; thence leaving
28 said centerline of said Enterprise Irrigation District Canal, N. 0°03' E.
29 40.0 feet to an iron pipe; thence N. 0°03' E. 193.8 feet, more or less, to
30 an iron pipe on the North 1/16th line of said Section 1; thence along the
31 North 1/16th line N. 88°47' E. 498.3 feet to an iron pipe marking the North
32 1/16th corner on the centerline of said Section 1; thence S. 0°58'50" E.
along the North-South centerline of said Section 1, a distance of 523.5
feet, more or less, to the true point of beginning. Said parcel lying
wholly within the SE 1/4 of Sec. 1, Twp. 39 S., R. 9 E.W.M., Klamath
County, Oregon.

Also the SE 1/4, EXCEPT the Easterly 490.0 feet; the N 1/2, EXCEPT the
Easterly 490.0 feet, and the N 1/2, EXCEPT the Easterly 490.0 feet, and
being more particularly described as follows: Beginning at the iron pipe
marking the centerline of Section 1, Twp. 39 S., R. 9 E.W.M.; thence N.
0°58'50" W. 328.7 feet to an iron pipe which is the true point of beginning;
thence N. 0°58'50" W. 1643.35 feet to an iron pipe on the North-South
centerline of Section 1; thence N. 89°33' E. 837.6 feet to an iron pipe;
thence S. 0°35'45" E. 1644.75 feet to an iron pipe; thence S. 89°42'15" W.
824.8 feet to the true point of beginning, said parcel lying wholly within
the E 1/2, Sec. 1, Twp. 39 S., R. 9 E.W.M., Klamath County, Oregon.

32

GANDHS, GANDHS
& BORDON
ATTORNEYS AT LAW
KLAMATH FALLS, ORE.

Assignment - Page 1

SAVING AND EXCEPTING the following described Parcels:

NO. 1: A parcel of land situated in the ~~SW~~NE~~1/4~~ of Section 1, Twp. 39 S., R. 9 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the Northeast corner of "Second Addition to Winema Gardens" subdivision, said point being on the Southerly line of Alva Avenue and said point being N. 00°47'38" W. a distance of 646.40 feet from the Southwest corner of the NW~~1/4~~NE~~1/4~~ of said Section 1; thence N. 89°39'15" E. along the Southerly line of Alva Avenue a distance of 80.00 feet to a one-half inch ironpin; thence S. 00°47'38" E. a distance of 50.00 feet to a one-half inch iron pin; thence on the arc of a curve to the left (radius is 130 feet, central angle is 27°47'45", and long chord is 62.45 feet) a distance of 63.07 feet to a one-half inch iron pin; thence S. 89°12'22" W. a distance of 95.00 feet to a one-half inch iron pin on the East line of "Second Addition to Winema Gardens"; thence N. 00°47'38" W. a distance of 111.26 feet to the point of beginning.

The bearings of the above described parcel of land are based on the bearings of "Second Addition to Winema Gardens" according to the duly recorded plat thereof.

NO. 2: A parcel of land situated in the ~~SW~~NE~~1/4~~ of Section 1, Twp. 39 S., R. 9 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a one-half inch iron pin on the Southerly line of Alva Avenue, said point being N. 00°47'38" W. a distance of 646.40 feet and N. 89°39'15" E. a distance of 140.00 feet from the Southwest corner of the NW~~1/4~~NE~~1/4~~ of said Section 1; thence N. 89°39'15" E. along the Southerly line of Alva Avenue a distance of 90.00 feet to a one-half inch iron pin; thence S. 00°47'38" E. a distance of 109.47 feet to a one-half inch iron pin; thence S. 89°12'22" W. a distance of 71.08 feet to a one-half inch iron pin; thence on the arc of a curve (radius is 130 feet and long chord bears N. 21°57'45" W. a distance of 30.01 feet) a distance of 30.07 feet to a one-half inch iron pin; thence on the arc of a curve to the right (radius is 70 feet, central angle is 27°47'45", and long chord is 33.63 feet) a distance of 33.96 feet to a one-half inch iron pin; thence N. 00°47'38" W. a distance of 49.53 feet to the point of beginning.

The bearings of the above described parcel of land are based on the bearings of "Second Addition to Winema Gardens" according to the duly recorded plat thereof.

NO. 3: A parcel of land situated in the ~~SW~~NE~~1/4~~ of Section 1, Twp. 39 S., R. 9 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a one-half inch iron pin on the Southerly line of Alva Avenue, said point being N. 00°47'38" W. a distance of 646.40 feet and N. 89°39'15" E. a distance of 230.00 feet from the Southwest corner of the NW~~1/4~~NE~~1/4~~ of said Section 1; thence N. 89°39'15" E. along the Southerly line of Alva Avenue a distance of 85.00 feet to a one-half inch iron pin; thence S. 00°47'38" E. a distance of 108.81 feet to a one-half inch iron pin; thence S. 89°12'22" W. a distance of 85.00 feet to a one-half inch iron pin; thence N. 00°47'38" W. a distance of 109.47 feet to the point of beginning.

The bearings of the above described parcel of land are based on the bearings of "Second Addition to Winema Gardens" according to the duly recorded plat thereof.

NO. 4: A parcel of land situated in the ~~SW~~NE~~1/4~~ of Section 1, Twp. 39 S., R. 9 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a one-half inch iron pin on the Southerly line of Alva Avenue, said point being N. 00°47'38" W. a distance of 646.40 feet and N. 89°39'15" E. a distance of 315.00 feet from the Southwest corner of the NW~~1/4~~NE~~1/4~~ of said Section 1; thence N. 89°39'15" E. along the Southerly line of Alva Avenue a distance of 87.00 feet to a one-half inch iron pin; thence S.

1 00°47'38" E. a distance of 108.13 feet to a one-half inch iron pin; thence
 2 S. 89°12'22" W. a distance of 87.00 feet to a one-half inch iron pin; thence
 3 N. 00°47'38" W. a distance of 108.81 feet to the point of beginning.
 4 The bearings of the above described parcel of land are based on the
 5 bearings of "Second Addition to Winema Gardens" according to the duly
 6 recorded plat thereof.

7 NO. 5: A parcel of land situated in the SE¼NW¼ of Section 1, Twp. 39 S.,
 8 R. 9 E.W.M., Klamath County, Oregon, more particularly described
 9 as follows:

10 Beginning at a point on the North line of the SE¼NW¼ of said Section 1, said
 11 point being South 88°53'17" West a distance of 268.78 feet from the North-
 12 east corner of the SE¼NW¼ of said Section 1; thence South 00°05'00" East a
 13 distance of 260.00 feet; thence South 88°53'17" West parallel with the
 14 North line of the SE¼NW¼ of said Section 1 to the centerline of the Enter-
 15 prise Irrigation Canal; thence Northwesterly along said centerline to a
 16 point that is South 88°53'17" West 229.52 feet along the North line of the
 17 SE¼NW¼ of said Section and South 00°09' West 233.8 feet from the point of
 18 beginning; thence North 00°09' East 233.8 feet to a point on the North line
 19 of the SE¼NW¼ of said Section 1; thence North 88°53'17" East 229.52 feet
 20 along the North line of the SE¼NW¼ of Section 1 to the point of beginning.

21 NO. 6: A parcel of land situated in the SE¼NW¼ of Section 1, Twp. 39 S.,
 22 R. 9 E.W.M., Klamath County, Oregon, more particularly described
 23 as follows:

24 Beginning at a one-half inch iron pin on the Southerly line of Alva Avenue,
 25 said point being N. 00°47'38" W. a distance of 646.40 feet and N. 89°39'15"
 26 E. a distance of 402.00 feet from the Southwest corner of the NW¼NE¼ of said
 27 Section 1; thence S. 00°47'38" E. parallel to the East line of Second Addi-
 28 tion to Winema Gardens, a duly recorded subdivision plat, a distance of
 29 400.00 feet; thence N. 89°39'15" E. 431.28 feet to the Westerly line of the
 30 easterly 490 feet of the SE¼NW¼ of said Section 1, said line being the
 31 Easterly line of Deed Volume 323, Page 233, as recorded in the Klamath
 32 County Deed Records; thence N. 00°21'05" W. along the Easterly line of said
 33 Deed Volume 400.00 feet to the Southerly line of Alva Avenue extended
 34 Easterly; thence S. 89°39'15" W. along the Southerly line of Alva Avenue
 35 extended Easterly and the Southerly line of said Alva Avenue 434.37 feet
 36 to the point of beginning.

37 The bearings of the above described parcel of land are based on
 38 the East line of Second Addition to Winema Gardens subdivision.

39 NO. 7: A parcel of land situated in the SW¼NE¼ of Section 1, Twp. 39 S.,
 40 R. 9 E.W.M., Klamath County, Oregon, more particularly described
 41 as follows:

42 Beginning at a point on the North-South centerline of said Section 1, said
 43 point being S. 00°47'38" E. a distance of 90.00 feet from the iron pin
 44 marking the Northwest corner of the SW¼NE¼ of said Section 1; thence con-
 45 tinuing S. 00°47'38" E. a distance of 50.00 feet; thence N. 89°12'22" E.
 46 at right angles to the North-South centerline of said Section 1 a distance
 47 of 110.00 feet; thence N. 00°47'38" W. parallel with the North-South center-
 48 line of said Section 1 a distance of 50.00 feet; thence S. 89°12'22" W. a
 49 distance of 110.00 feet to the point of beginning.

50 The above described parcel of land contains 0.13 acres, more or less.

51 And Assignors further, in consideration of the foregoing, bargain, sell and
 52 convey to Assignees an undivided one-half interest in said real property, sub-
 53 one-half interest in
 54 ject to the terms of said contract, which said contract Assignees do hereby
 55 assume and agree to pay and perform according to its terms as the same comes due
 56 and to hold Assignors harmless therefrom.

The above described contract of sale originally covered the parcel of property first above described, without the exceptions; that the exceptions are parcels of real property that have been released by vendors to the assignors for sale to other parties; that as consideration for this assignment the assignees will pay as follows: \$5,000.00 cash upon execution hereof, receipt of which is hereby acknowledged; \$5,000.00 without interest on or before July 1, 1967; that assignors have a lien against assignees' interest herein for payment of said sum; that assignors will make the full amount of the payment on said contract which becomes payable on June 1, 1967; that as of June 2, 1967, the assignees assume and agree to pay one-half of the unpaid balance of said contract.

TO HAVE AND TO HOLD the same unto assignees.

Dated this 23d day of March, 1967.

George F. Crain (SEAL)

Dorothy Lucille Crain (SEAL)

STATE OF OREGON)
County of Klamath) SS

April 10, 1967

Personally appeared the within named George F. Crain and Dorothy Lucille Crain, husband and wife, who are known to me to be the persons described in the within instrument and acknowledged the foregoing to be their voluntary act and deed.

Before me:

Ernest E. Jordan
Notary Public for Oregon

My Commission Expires: 5-15-68

Return Chuck Fisher
6409 Elder Way
Klamath Falls,
One

STATE OF OREGON,) ss
County of Klamath)

Filed for record at request of:

Oregon Title Insurance

on this 13 day of April, A.D. 1967

at 2:43 o'clock P.M. and duly

recorded in Vol. M-67 of Deeds

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UCHIRLEY RUGERS, County Clerk

Fee 6.00

DANBRO, DANBRO
& GORDON
ATTORNEYS AT LAW
KLAMATH FALLS, ORE.

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