

CONTRACT OF SALE

Vol. <sup>m</sup> 72 Page 11111

THIS AGREEMENT Made and entered into this 24<sup>th</sup> day of May, 1972, by and between JOSEPH M. KINGSBURY and HANNELORE A. KINGSBURY, husband and wife, hereinafter designated as Sellers, and VIRGIL R. FRIEND, hereinafter designated as Purchaser;

WITNESSETH:

WHEREAS, the Sellers are the owners under Purchasers' contract of the property and equipment located at Kingsbury Phillips 66 and desire to sell same to Purchaser for a total consideration of Twenty thousand and no/100 (\$20,000) Dollars, including unpaid contract balance against said property, and

WHEREAS, Purchaser is the owner of an equity in property located at 3913 Bartlett Street, Klamath Falls, Oregon, described as Lot 17, Block ~~17~~ <sup>2 First Addition to</sup> Kelene Gardens, Klamath County, Oregon, and desire to pay Sellers' equity from the sale of said property as herein provided, it is, therefore,

UNDERSTOOD AND AGREED that Sellers will sell and convey to Purchaser and Purchaser will purchase from Sellers Lots 1, 2 and 3, Block 17, Industrial Addition to the City of Klamath Falls, Klamath County, Oregon, and the personal property, a list of which is hereto attached marked Exhibit A and by this reference incorporated herein, for the sum of \$20,000, payable as follows:

Three thousand two hundred and no/100 (\$3,200) Dollars as hereinafter provided on or about July 18, 1972, but not longer than 60 days from the date hereof, it being understood and agreed that in the event that Purchaser's equity in the property located at 3913 Bartlett Street, Klamath Falls, Oregon, is sold by a realtor, that the \$2,400 due Purchaser will be paid to the Sellers herein and Purchaser will add an additional \$800, making a total consideration of \$3,200 paid directly from Purchaser to Sellers. The balance of Sixteen thousand eight hundred and no/100 (\$16,800) Dollars shall be paid by

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RAMIREZ & HOOTS  
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assumption by Purchaser of Sellers' contract of sale balance due Chester C. Brown and Myrtle E. Brown, under contract of sale dated January 1, 1972, and that Purchaser will save Seller harmless thereon. It being further understood and agreed that in the event the Purchaser is unable to sell said property located at 3913 Bartlett Street, Klamath Falls, Oregon, that Sellers will take title to Purchaser's equity therein and allow Purchaser credit for the full \$3,200 provided herein.

IT IS UNDERSTOOD AND AGREED that upon payment or transfer as aforesaid, that the Sellers hereto will execute the necessary documents conveying free and clear title subject to the provisions made herein to the aforesaid properties and Bill of Sale to the personal property contained therein and that each will save the other harmless by virtue of the assumed obligations resulting thereafter.

IT IS FURTHER UNDERSTOOD AND AGREED that Purchaser will take possession of the aforesaid real property and personal property as of June 1, 1972, and pay all utilities and expenses of business resulting thereafter, including the monthly contract payment due from Sellers to the aforesaid Chester C. Brown and Myrtle E. Brown under that contract of January 1, 1972.

IT IS UNDERSTOOD AND AGREED that this contract shall be recorded and constitute a claim of each against the property of the other herein.

Sellers do hereby warrant that there are no outstanding obligations against the business known as Kingsbury Phillips 66 other than the contract balance above provided and verify said fact hereunder under oath in their acknowledgment.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year above written.

James M. Kingsley  
Seller

Hannelore A. Kingsley  
Seller

David R. Priest  
Purchaser

STATE OF OREGON )  
 ) ss.  
County of Klamath )

BE IT REMEMBERED that on this 24<sup>th</sup> day of May, 1972, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named JOSEPH M. KINGSBURY who is known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

  
Ma Estaley  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 10.30.72

STATE OF OREGON )  
 ) ss.  
County of Klamath )

BE IT REMEMBERED that on this 24<sup>th</sup> day of May, 1972, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named HANNELORE A. KINGSBURY, who is known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

  
Ma Estaley  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 10.30.72

STATE OF OREGON )  
 ) ss.  
County of Klamath )

BE IT REMEMBERED that on this 24<sup>th</sup> day of May, 1972, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named VIRGIL R. FRIEND who is known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

  
Ma Estaley  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 10.30.72

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EXHIBIT A

Mechanical hoist  
Wheel balancer  
Tune-up machine  
Spark plug cleaner  
Vulcanizer  
High pressure air tank  
Electric wrench, reversible  
Battery charger  
Bumper jack  
Wheel pullers  
Front end plates  
Welding equip  
Mechanics tool chest  
Electric Arc welder  
Small jacks  
Vacuum cleaner (commercial)  
 $\frac{1}{2}$  ton hoist  
Torque wrench  
Socket wrenches  
~~Wrenches~~  
Adding machine

Automatic Transmission tools  
CCB H.K. ~~Joe~~ M.B.

$\frac{1}{2}$  ton hoist  
Black mark bumper jack  
Wheel pullers

CCB H.K. ~~Joe~~ M.B.

Working air compressor

MAJOR 20100 Passes

CCB H.K. ~~Joe~~ M.B.

Exhibit A

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of JOSEPH M. KINGSBURY  
this 26th day of May A.D., 1972 at 9:17 o'clock AM., and duly recorded in  
Vol. M 72, of DEEDS on Page 5632

FEE \$8.00

WM. D. MILNE, County Clerk  
By Hazel Unzick