

1-174

35523

ASSIGNMENT OF CONTRACT

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KNOW ALL MEN BY THESE PRESENTS, That the undersigned, for the consideration hereinafter stated, has sold and assigned and hereby does grant, bargain, sell, assign and set over unto NORWOOD R. MOUNTAIN and WILLENA K. MOUNTAIN, husband and wife

his heirs, successors and assigns, all of the vendee's right, title and interest in and to that certain contract for the sale of real estate dated June 9, 1977, between ROBERT E. BENJAMIN and RUBY E. BENJAMIN

as seller and LESTER E. SPENCER and NELLIE MAE SPENCER

as buyer, which contract is recorded in the Deed* ~~Minell~~ Records of Klamath County, Oregon, in book M77 at page 10057 thereof, or as file number

(indicate which), (reference to said recorded contract hereby being expressly made), together with all of the right, title and interest of the undersigned in and to the real estate described therein; the undersigned hereby expressly covenants with and warrants to the assignee above named that the undersigned is the owner of the vendee's interest in the real estate described in said contract of sale and that the unpaid balance of the purchase price thereof is not more than \$21,774.36 with interest paid thereon to September 6, 1977; further, upon compliance by said assignee with the terms of said contract, the undersigned directs that conveyance of said real estate be made and delivered to the order of said assignee.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$24,774.36. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which) ^{the whole}.

In construing this assignment, it is understood that if the context so requires, the singular shall be taken to mean and include the plural, the masculine shall include the feminine and the neuter and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to one or more individuals and/or corporations.

IN WITNESS WHEREOF, the undersigned assignor has hereunto set his hand; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its board of directors.

DATED: September 8, 1977

Lester E. Spencer
v. *Nellie Mae Spencer*

(If executed by a corporation, affix corporate seal.)

STATE OF OREGON,

County of Klamath

September 8, 1977

Personally appeared the above named

Lester E. Spencer and Nellie Mae Spencer

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me, *Betty Lynn Blum*

Notary Public for Oregon
My commission expires: 6-16-81

STATE OF OREGON, County of _____, ss.

Personally appeared _____, 19____, 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 behalf 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: _____

*Strike whichever word not applicable. NOTE—The sentence between the symbols @. If not applicable, should be deleted. See OES 93.030. If the contract is not already of record, it should be recorded, preferably in the Deed Records.

Lester E. Spencer and Nellie Mae Spencer

GRANTOR'S NAME AND ADDRESS

Norwood R. Mountain and Willena K. Mountain

GRANTEE'S NAME AND ADDRESS

After recording return to:
MOUNTAIN TITLE COMPANY
407 Main Street
Klamath Falls, Oregon 97601

Until a change is requested all tax statements shall be sent to the following address:
Norwood R. Mountain & Willena K. Mountain
P. O. Box 406
Placerville, California 95667

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of Klamath

I certify that the within instrument was received for record on the 12th day of September, 1977, at 10:10 o'clock A.M., and recorded in book M77 on page 16902 or as file/reel number 35523, Record of Deeds of said county.

Witness my hand and seal of County attixed.

Wm. D. Milne

Recording Officer

Fee \$3.00

Hazel D. Maguire Deputy