

1-1-74

43849

ASSIGNMENT OF CONTRACT

Vol. 78 Page 3779



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 JAMES F. BENSON and JOANNA R. BENSON, 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 October 9, 1970, between Eugene Fox, a single man, as seller and Margaret O. Everson Zerbe, Trustee for Jerry Everson

as buyer, which contract is recorded in the Deed* Miscellaneous* Records of --- County, Oregon, in book --- at page --- 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 \$ 3,624.10 with interest paid thereon to February 15, 1978; 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 \$ 8,000.00

However, the actual consideration consists of or includes other property or value given or promised which is --- consideration (indicate which) ---

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: February 2, 1978
The NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 34 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

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

STATE OF ~~OREGON~~ CALIFORNIA)
County of Alameda) ss.

Feb. 2, 1978

Personally appeared the above named Margaret O. Everson Zerbe, Trustee for Jerry Everson

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

Before me: Keith L. Padlo
(OFFICIAL SEAL)

Notary Public for State of California
My commission expires: June 8, 1981

STATE OF OREGON, County of) ss.
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Personally appeared

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:

(OFFICIAL SEAL)

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

Margaret O. Everson Zerbe
119 Glen Avenue
Modesto, CA

Jamon F. Benson, et ux
1144 Callas Lane, Apt. 4
Capitola, CA 95010

After recording return to:

Winema Real Estate
Box 376
Chiloquin, OR 97624

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

James F. Benson, et ux
1144 Callas Lane, Apt. 4
Capitola, CA 95010

STATE OF OREGON.

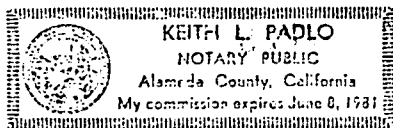
County of

I certify that the within instrument was received for record on the day of 1978, at o'clock M., and recorded in book on page of its file reel number. Record of Deeds of said county. Witness my hand and seal of County affixed.

Recording Officer

By

Deputy



3780

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Co.

this 28th day of February A. D. 1978 at 3:30 clock P M., and

fully recorded in Vol. N78 of Deeds on Page 3779

Wm D. MILNE, County Clerk

By Bernetha J. Letich

Fee \$6.00