

69610

Vol. ⁷⁹~~76~~ Page ¹⁵⁰⁵⁰~~15050~~

BILL OF SALE

For Value Received, We, DON B. LYONS and BERTHA LYONS, husband and wife, First Party and SELLERS, do hereby bargain, sell, transfer and convey to THEODORE P. ROLLER, Second Party and BUYER, the following described personal property situated in Klamath County, Oregon:

The Warehouse located at Merrill Siding on land leased by SELLERS from Southern Pacific Company, together with all motors, etc. presently situated on said property.

TO HAVE AND TO HOLD the same unto the said Second Party, his heirs and assigns forever.

It is understood and agreed that the above described warehouse is on land leased by First Party from Southern Pacific Company, which lease Second Party has examined, and that this Bill of Sale is for the purpose of conveying and transferring to Second Party all the right, title and interest of First Party in and to said Warehouse and in and to said lease, SUBJECT, however, to all rights of said Southern Pacific Company. This instrument is also an ASSIGNMENT from SELLERS to BUYER of above mentioned lease subject to all the terms and conditions therein contained.

In consideration of One Dollar and other valuable consideration, First Party also grants to Second Party, his heirs, assigns and successors, a perpetual easement for draining water from said building by means of a six-inch concrete pipe now buried in the ground about 1-½ feet and extending north approximately 450 feet from said building to a drain ditch extending easterly to Lost River, together with the right of maintaining, repairing, replacing and using said pipe and drain ditch for drainage purposes, with right of ingress and egress thereto and therefrom, with the understanding that said pipe shall be kept buried at not less than its present depth, except when being repaired or replaced, and that the land may be farmed over the pipe without subjecting grantor, his heirs or assigns, to damages for roots plugging the pipe or otherwise. This easement shall be an appurtenant

to said building, or any replacement thereof, and shall run with the property, and binds and extends to the executors, administrators, successors, heirs and assigns of the respective parties named herein.

This Lease was granted to First Parties by an instrument dated August 15, 1961, which instrument was recorded in the deed records of Klamath County, Oregon on March 6, 1967, at VOL M-67, Page 1534.

IN WITNESS WHEREOF, We hereunto set our hands this
day of February, 1978.

Don B. Lyons
DON B. LYONS

Bertha Lyons
BERTHA LYONS

STATE OF OREGON)
County of Klamath) ss.

On this 1 day of February, 1978, before me, personally appeared the above-named Don B. Lyons ~~and Bertha Lyons, husband and wife~~, and acknowledged the foregoing instrument to be ~~their~~ his voluntary act and deed.

Donald M. Rathoff
NOTARY PUBLIC FOR OREGON
My Commission Expires: 4/29/78

STATE OF OREGON)
County of Klamath) ss.

On this 1 day of February, 1978, before me, personally appeared the above named BERTHA LYONS, and acknowledged the foregoing instrument to be her voluntary act and deed.

Donald M. Rathoff
Notary Public for Oregon
My Commission Expires: 4/29/78

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 26 day of June A.D., 19 79 at 10:04 o'clock A M., and duly recorded in Vol. 479 of Miscellaneous on Page 15050.

FEE \$6.00

WM. D. MILNE, County Clerk

By Simcha Shuch

Deputy

Ret.
Parks & Rathoff
228 N. 7th
City