

89611

BILL OF SALE

For Value Received, I, THEODORE P. ROLLER, First Party and SELLER, do hereby bargain, sell, transfer and convey to UNION SEED COMPANY, an Idaho Corporation, Second Party and BUYER, the following described personal property situated in Klamath County, Oregon:

The Warehouse located at Merrill Siding on land leased by SELLER 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, its 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 SELLER 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, its 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 1½ 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

78 JUN 23 AM 10 04

15052

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.

The Lease contained in this assignment was granted to DON B. LYONS and BERTHA LYONS 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. These rights of easement were assigned from DON B. LYONS and BERTHA LYONS to the Seller in the terms of a Bill of Sale and Assignment dated January 26, 1978.

IN WITNESS WHEREOF, I hereunto set my hand this 26 day of June, 1979.

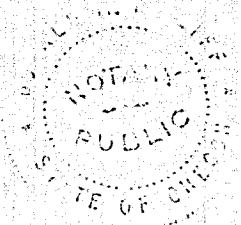
*Theodore P. Roller*  
THEODORE P. ROLLER

STATE OF OREGON )  
County of Klamath ) ss.

On this 26 day of June, 1979, before me, personally appeared the above-named Theodore P. Roller, and acknowledged the foregoing instrument to be his voluntary act and deed.

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

*Ret. Parks & Ratliff  
228 N. 7th  
City*



STATE OF OREGON; COUNTY OF KLAMATH; ss.  
Parks & Ratliff, Attys

Filed for record at request of \_\_\_\_\_  
this 26th day of June A. D. 19 79 at 10:04 o'clock A. M., and  
 duly recorded in Vol. 479, of Miscellaneous on Page 15052

Wm D. MILNE, County Clerk

Fee \$6.00