

1967

75253

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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 FELLOWS, McCARTHY, ZIKES & KAYSER, a professional corporation

their ~~heirs~~ 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

May 26, 1978, between EVELYN SMUTZ (aka EVELYN REEVE) as seller and MICHAEL R. NEARY

as buyer, which contract is recorded in the Deed* ~~Miscellaneous~~ Records of Klamath County, Oregon, in book M78 at page 1131 hereof, ~~XXXXXX~~ (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 \$44,500.00 with interest paid thereon to May 26, 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.

This assignment is given for security purposes only, to secure payment

~~of the purchase price of the real estate described in the contract of sale~~ ~~XXXXXX~~ ~~part of the~~ ~~the whole~~ ~~XXXXXX~~

of a promissory note of even date herewith in the sum of \$2,000.00

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: 8-27, 1979

Michael R. Neary
Michael R. Neary

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

STATE OF OREGON,

County of Multnomah } ss.
August 31, 1979

Personally appeared the above named

Michael R. Neary

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

Before me:

John H. Heald
Notary Public for Oregon

My commission expires: 5/6/80

STATE OF OREGON, County of _____) ss.

Personally appeared _____ 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:

(OFFICIAL SEAL)

Assignment of CONTRACT

MICHAEL R. NEARY

TO

FELLOWS, McCARTHY, ZIKES & KAYSER PC

WHEN RECORDED RETURN TO

JOHN H. HEALD
ATTORNEY AT LAW
805 AMERICAN BANK BLDG.
PORTLAND, OREGON 97203
PHONE 532-0311

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON,

County of Klamath } ss.

I certify that the within instrument was received for record on the 10th day of October, 1979, at 1:14 o'clock P.M., and recorded in book M79 on page 23944 or as filing fee number 75253

Record of Deeds of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne

County Clerk

Bernetha Heltsch Deputy.

Fee \$3.50

Docket No.

532-851