

Upon Recording Mail to: Wells Fargo Realty Services 572 E. Green St.
Pasadena, Ca 91101 Attn: Karen Stark

ASSIGNMENT AND SURRENDER
OF

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75506 AGREEMENT FOR THE SALE AND PURCHASE OF REAL ESTATE

THIS ASSIGNMENT AND SURRENDER of Agreement for the
Sale and Purchase of Real Estate made and entered into this
15th day of September, 1976, by and between

John E. Ciolina & Caroline A. Ciolina
hereinafter referred to as "ASSIGNOR", and WELLS FARGO REALTY SERVICES, INC.
XXX, a corporation Trustee, hereinafter referred to as
"ASSIGNEE", is made with reference to the following facts:

1. That on March 28, 1973, the ASSIGNOR, as buyer,
and the ASSIGNEE, as seller, entered into a certain Agree-
ment for the Sale and Purchase of Real Estate, hereinafter
referred to as "Land Sales Contract", whereby the ASSIGNOR
agreed to purchase and the ASSIGNEE agreed to sell, subject
to the terms and conditions of said Agreement, the real
property described therein as follows:

Lots, 1, 13, 14 & 15, ~~Box~~ Block 33, Oregon Pines, Klamath County,
Oregon

2. That, as of the date hereof, the ASSIGNEE has fully per-
formed all of the covenants and agreements contained in
said Land Sale Contract to be performed by the ASSIGNEE,
as the seller thereunder.
3. That, as of the date hereof, the ASSIGNOR, as the buyer
under the subject Land Sale Contract, does not desire to
perform the remaining covenants and agreements set forth
therein to be performed by the ASSIGNOR as a condition pre-
cedent to the ASSIGNEE's obligation to convey the above
described real property to the ASSIGNOR in accordance with
the terms and conditions of said Land Sale Contract. That
the ASSIGNOR desires to be released from any and all further
obligations and liabilities as the buyer under the subject
Land Sale Contract in consideration for voluntarily surren-
dering and assigning to the ASSIGNEE all of the ASSIGNOR's
rights, title, interests, and obligations as buyer under
said Land Sale Contract and allowing the ASSIGNEE to retain
all monies heretofore paid by the ASSIGNOR under the afore-
mentioned Land Sale Contract.

NOW, THEREFORE, the parties hereto, in consideration of
the mutual covenants and conditions contained herein, hereby
agree as follows:

- A. ASSIGNOR hereby voluntarily surrenders, transfers, assigns,
and sets over unto ASSIGNEE, effective as of the date hereof,
all of the ASSIGNOR's rights, title, interests, and obliga-
tions as buyer under the subject Land Sale Contract, which

assignment, for the purpose of cancelling said Land Sale Contract as if same had never been entered into, is hereby consented to and accepted by the ASSIGNEE. More specifically, but without limiting the generality of the foregoing, the ASSIGNOR hereby voluntarily relinquishes all of his rights under the subject Land Sale Contract and monies heretofore paid thereunder, and the ASSIGNOR'S interest in and to said monies and the above described real property are hereby terminated as fully as if said monies had never been paid or the subject Land Sale Contract entered into.

B. ASSIGNOR, as buyer under the subject Land Sale Contract, is hereby fully and unconditionally released from any and all further obligations and liabilities thereunder.

C. ASSIGNEE, as the seller under said Land Sale Contract, is hereby released from all obligations thereunder, including but not limited to, its obligations, whether in law or equity, to convey the above described real property to the ASSIGNEE.

D. ASSIGNEE, as of the date hereof, shall immediately be entitled to exclusive possession of the above described real property and shall have as full power to dispose of said real property as if the subject Land Sale Contract had never been made.

IN WITNESS WHEREOF, the ASSIGNOR and the ASSIGNEE, by its duly authorized agent, have executed this Assignment and Surrender the day and year first above written.

Name John E. Ciolina

WELLS FARGO REALTY SERVICES, INC.
a corporation trustee

Name Caroline A. Ciolina (Sole Assignor)

33 East Sixth Street

Street Address

National City, CA 92050

City

State

Zip

"ASSIGNOR"

Authorized Signature

Norfleet J. Howell, Vice President

Marilyn J. McDuffie, Ass't Secretary

STATE OF OREGON; COUNTY OF KLAMATH;

Filed for record at request of Transamerica Title Co.

this 16th day of October A. D. 1999 at 10:38 o'clock A. M., on

fully recorded in Vol. M79, of Deeds on Page 24335

Wm D. MILNE, County Clerk

By Bernice A. Hirsch

Fee \$7.00