

76497

ASSIGNMENT OF CONTRACT

Vol. 779 Page 26055
Escrow No. 4211

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 David H. Helbig and Norma G. Helbig, husband and wife,

their 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

November 30, 1978, between Stephen J. Petric and Ann S. Petric and Ann M. Petric, by and through their Attorney in Fact, Ann Marie Petric as seller and Cloyce E. Barnes and Richard W. Coryell

as buyer, which contract is recorded in the Deed* Miscellaneous* Records of Klamath County, Oregon, in book M78 at page 27026 thereof, or as file number _____, reel 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 \$15,585.21 with interest paid thereon to October 5, 1979; 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 \$26,000.00

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

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: November 2, 1979
(See reverse side of this document for legal description.)

Cloyce E. Barnes
Richard W. Coryell

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

STATE OF OREGON,

County of Klamath } ss.

November 2, 1979

Personally appeared the above named Cloyce E. Barnes and Richard W. Coryell

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

Before me: Quinn C. Latke
Notary Public for Oregon
My commission expires: 11/2/82

*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.

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 (OFFICIAL SEAL)
My commission expires: _____

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

TA Branch

NAME, ADDRESS, ZIP

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

Mr. & Mrs. David H. Helbig
5706 Miller Ave
Klamath Falls, Oregon, 97601

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____

at _____ o'clock _____ M., and recorded in book _____ on page _____ or as file/reel number _____

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By _____

Deputy

A tract of land situated in the N¹/₄SE¹/₄ of Section 9, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

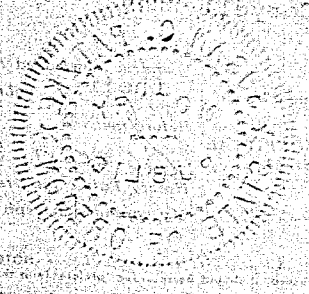
Beginning at an iron pine located South 0°08' West a distance of 668.25 feet and North 89°52' West a distance of 466.05 feet from the East quarter corner of said Section 9; thence North 89°52' West a distance of 326.25 feet to an iron pin; thence South 0°08' West parallel with the East line of said Section 9 a distance of 333.85 feet to an iron pin; thence South 89°52' East a distance of 326.25 feet to an iron pin; thence South East parallel with the East line of said Section 9 a distance of 333.85 feet, more or less, to the point of beginning.

Subject, however, to the following:

1. An easement created by instrument, including the terms and provisions thereof,
Dated : February 2, 1961
Recorded : January 31, 1967 Book: M-67 Page: 751
For : Roadway purposes across West 30 feet of herein described property.
2. Reservations and restrictions, including the terms and provisions thereof, contained in Deed to O. Daniel Stilwell and Eva W. Stilwell, dated February 2, 1961, recorded January 31, 1967 in Book M-67 at page 751, Microfilm Records, as follows: "...and further restriction that above property shall be used for residential purposes only and no business or other such building shall be erected thereon."
3. Memorandum of Contract, including the terms and provisions thereof,
Dated : November 30, 1978
Recorded : December 1, 1978 Book: M-78 Page: 27026
Vendor : Stephen J. Petric and Ann S. Petric and Ann M. Petric, by and through their Attorney in Fact, Ann Marie Petric
Vendee : Cloyce E. Barnes and Richard W. Coryell, which Buyers herein assume and agree to pay according to the terms and conditions thereof, on which the balance currently due is \$15,585.21 with interest paid to October 5, 1979, and agree to hold Sellers harmless therefrom.

After recording return to:
TA-Blanch
Jue

STATE OF OREGON; COUNTY OF KLAMATH; ss.
I, Transamerica Title Co.
filed for record at request of
this 5th day of November A. D. 1979 at 11:08 clock A.M., and
fully recorded in Vol. M79, of Deeds on Page 26055
Wm D. MILNE, County Clerk
By Senetha Ketch



Fee \$7.00

STATE OF OREGON
County of Klamath
I, Senetha Ketch
County Clerk
do hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of said County.