

96513

ASSIGNMENT OF CONTRACT

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 Robert A.

Hedgecock and Adrienne C. Hedgecock, 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 June 26, 1980, between Raymond W. Bernhardt and Erma P. Bernhardt

as seller and Galen E. Mihm and Loretta G. Mihm, husband and wife,

as buyer, which contract is recorded in the Deed* Miscellaneous* Records of Klamath County, Oregon, in book M-80 at page 11790 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 unpaid balance of the purchase 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 \$142,490.31 with interest paid thereon to December 23, 1980; 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 \$142,490.31. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

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: March 2, 1981
(see reverse side of this document for description)

Galen E. Mihm

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

Loretta G. Mihm

STATE OF OREGON,

County of Klamath,

Personally appeared the above named

Galen E. Mihm and Loretta G. Mihm, husband and wife,

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11-16-84

STATE OF OREGON, County of _____, ss.

Personally appeared _____, 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)

MIHM

GRANTOR'S NAME AND ADDRESS

HEDGECKOCK

GRANTEE'S NAME AND ADDRESS

After recording return to:

Mr. and Mrs. Adrienne C. Hedgecock
738 Hazelwood Dr.
Walnut Creek, CA 94596

NAME, ADDRESS, ZIP

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

Same as above

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 _____/reel/volume No. _____ on page _____ or as document/fee/file/instrument/microfilm No. _____ Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy

SPACE RESERVED FOR RECORDER'S USE

*Strike whichever word not applicable. NOTE-The sentence between the symbols ①, 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.

March 2 1981 FEB 29 PM 3 40

PARCEL 1

A portion of Government Lots 21 and 22, Section 6, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the section line common to Section 6 and 7, Township 35 South, Range 7 East of the Willamette Meridian, and on the Westerly right of way line of State Highway 427, said iron pin bearing South 89° 41' 17" West, 646.31 feet from the 1/4 section corner common to Sections 6 and 7, Township 35 South, Range 7 East of the Willamette Meridian; thence South 89° 41' 17" West, along said section line a distance of 50.95 feet to the East shore of Agency Lake; thence with the meanders of the East shore of Agency Lake, as follows: North 3° 06' West, 194.86 feet, North 16° 36' West, 168.00 feet, North 15° 41' West, 196.00 feet, North 11° 20' West, 210.00 feet, to a 5/8 inch iron pin; thence leaving the meanders of the East shore of Agency Lake, North 89° 15' East, 193.15 feet to a 5/8 inch iron pin on the Westerly right of way line of State Highway 427; thence along the Westerly right of way line of State Highway 427; as follows: South 0° 15' 30" West, 253.54 feet, South 1° 10' 00" East, 490.17 feet, to the point of beginning.

PARCEL 2

A portion of Government Lots 21 and 22, Section 6, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a 3/4 inch iron pipe which bears South 89° 41' 17" West, 30.00 feet, from the 1/4 section corner common to Section 6 and 7, Township 35 South, Range 7 East of the Willamette Meridian; thence North 1° 40' 06" East, parallel to the meridional centerline of Section 6, a distance of 768.57 feet to a 5/8 inch iron pin; thence South 89° 43' 25" West, 587.44 feet to a 5/8 inch iron pin on the Easterly right of way line of State Highway 427; thence along the Easterly right of way of State Highway 427 as follows: South 0° 15' 30" West, 278.22 feet, South 1° 10' East, 490.32 feet to a 3/4 inch iron pipe on the South boundary of Section 6; thence leaving the highway right of way, North 89° 41' 17" East, along the South boundary of Section 6, a distance of 556.31 feet to the point of beginning.

Subject, however, to the following:

1. Rights of the public in and to any portion of said premises lying within the limits of public roads and highways.
2. Rights of the public and of Governmental bodies in and to that portion of the herein described property lying below the ordinary high water mark of Agency Lake.

3. An easement created by Instrument, including the terms and provisions thereof,

Dated : February 27, 1924

Recorded : May 3, 1924 Book: 64 Page: 76

In favor of : California Oregon Power Company, a California corporation

4. An easement created by Instrument, including the terms and provisions thereof,

Dated : February 11, 1966

Recorded : May 17, 1967 Book: M-67 Page: 3680

In favor of : William E. Ray and Karen Ray, husband and wife (Affects Lot 22)

5. Unrecorded Contract, including the terms and provisions thereof, and such other exceptions as may appear necessary upon the recording thereof,

Dated : January 1, 1977

Vendor : Ray O. Hobbs and Alice M. Hobbs, husband and wife

Vendee : Raymond W. Bernhardt and Erna P. Bernhardt, husband and wife

as disclosed by Memorandum of Contract for Deed

Recorded : February 8, 1977 Book: M-77 Page: 2274,

which Buyers herein do not assume and agree to pay, and Sellers agree to hold Buyers harmless therefrom.

7. Memorandum of Contract, including the terms and provisions thereof, a memorandum of which was (for continuation of this document see attache exhibit "A")

Dated : June 26, 1980
 Recorded : June 26, 1980 Book M-80 Page: 11790
 Vendor : Raymond W. Bernhardt and Erma P. Bernhardt,
 husband and wife
 Vendee : Galen E. Mihm and Loretta G. Mihm, husband and
 wife, which Contract Buyers herein assume and agree
 to pay according to the terms and conditions thereof, and agree to
 hold Sellers harmless therefrom. The present unpaid principal balance
 of which is \$142,490.31 with interest paid to December 23, 1980.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Co.
 this 2nd day of March A. D. 19 81 at 3:40 o'clock P M., and
 duly recorded in Vol. M81, of Deeds on Page 3570

EV. LYN BIEHN, County Clerk

By Loretta G. Mihm

Fee \$10.50