

ASSIGNMENT

FOR VALUE RECEIVED, DAVID CASTLEBERRY and ELLOWSE  
 CASTLEBERRY, husband and wife, & EDWARD LOUISE CASTLEBERRY  
 as Assignor, does hereby assign,  
 transfer and set over unto ALBERT W. SCHINDLER and  
HELEN M. SCHINDLER as Assignee,  
 all of Assignor's right, title and interest in and to that  
 certain real estate contract dated September 1, 1978, and  
 recorded August 28, 1978, in Volume M78, Page 18967, Deed Records  
 of Klamath County, Oregon, between GEORGE BOWEN as Seller, and  
 EDWARD L. CASTLEBERRY as Buyer, for the sale and purchase of the  
 following described real property:

See attached Exhibit "A"

## SUBJECT TO:

- (1) Taxes for 1979-80 unpaid in the amount of \$829.54.  
 Taxes for 1981-82 in the amount of \$1,098.82
- (2) Reservations and restrictions contained in patent from  
 the United States of America to Chester Seats, dated August 17,  
 1932, recorded September 19, 1936, in Volume 107, page 232, Deed  
 Records of Klamath County, Oregon, as follows: "...and there is  
 reserved from the lands hereby granted a right of way thereon for  
 ditches or canals constructed by authority of the United  
 States. Subject to such right for Telephone and Telegraph  
 purposes as the Pacific Telephone and Telegraph Company may have  
 under Act of March 4, 1911."
- (3) Reservations and restrictions of access contained in  
 deed from Jacob W. Schabener and Grace E. Schabener to State of  
 Oregon, dated April 30, 1933, recorded May 6, 1953, in Volume  
 260, page 484, Deed Records of Klamath County, Oregon.
- (4) Right of way easement including the terms and  
 provisions thereof, given by Jacob W. Schabener and Grace E.  
 Schabener to Midstate Electric Cooperative, Inc., dated August  
 22, 1952, recorded January 2, 1953, in Volume 258, page 420, Deed  
 Records of Klamath County, Oregon
- (5) Right of way to erect and maintain poles over the NE  
 1/2 including the terms and provisions thereof, given by C. C.  
 Sears to Pacific Telephone and Telegraph Company, dated November  
 8, 1928, recorded December 26, 1928 in Volume 85, page 65, Deed  
 Records of Klamath County, Oregon.

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 MERRILL & O'SULLIVAN

424 N.E. KEARNEY  
 BEND, OREGON 97701

Assignment of Contract

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(6) Mortgage, including the terms and provisions thereof, given by Richard W. Coe to Charles R. Coe and Lucille Coe, husband and wife, dated December 27, 1976, recorded January 21, 1977, in Volume M77, page 1164, Mortgage records of Klamath County, Oregon, to secure the payment of \$34,000.

(7) Mortgage, including the terms and provisions thereof, given by George Bowen and Louise Bowen, husband and wife, to Richard W. Coe, dated June 14, 1977, recorded June 28, 1977, in Volume M77, page 11328, Mortgage records of Klamath County, Oregon, to secure the payment of \$21,000.

(8) Contract, including the terms and provisions thereof, given by George Bowen and Louise Bowen, husband and wife, to Edward Louis Castleberry, dated September 1, 1978, recorded August 28, 1978, in Volume M78, Page 18967, Deed Records of Klamath County, Oregon.

(9) Right of way easement, including the terms and provisions thereof, from Edward Castleberry to Midstate Electric Cooperative, Inc., a cooperative corporation, dated February 1, 1979, recorded March 5, 1979, in Volume M79, page 4771, Deed Records of Klamath County, Oregon.

IT IS AGREED that the existing contract balance under this contract is \$ 93,862.47 ~~per month~~, including interest at the rate of 1 1/2 per cent per annum from February 1, 1982, 19  , and that the next payment is due thereon on March 1, 1982.

Assignee hereby assumes and agrees to make payment under this contract and to fulfill all of the conditions of said real estate contract and to hold Assignor harmless against all claims, demands and actions by reason of failure of Assignee to observe and perform this Agreement.

Assignor warrants that the contract is current in all respects and that Assignor is not in default under any terms or provisions thereof.

DATED ✓ Mar - 10 -, 1982

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7608

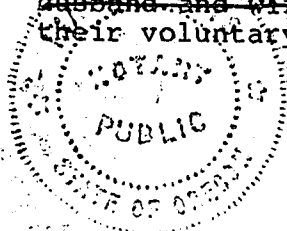
David Castleberry.  
DAVID CASTLEBERRY

Edward Louise Castleberry  
~~EDWARD LOUISE CASTLEBERRY~~ EDWARD LOUISE CASTLEBERRY  
Louis

Ellowise Castleberry  
ELLOWISE CASTLEBERRY

STATE OF Oregon )  
County of Deschutes ) ss.

On March 17, 1982, personally appeared the above named ~~George~~ CASTLEBERRY and ~~Ellowise~~ CASTLEBERRY, husband and wife, and acknowledged the foregoing instrument to be their voluntary act. Before me:



Anna M. Watts  
Notary Public for Oregon  
My Commission Expires: 5-25-82

#### ACCEPTANCE OF ASSIGNMENT

The above assignment is hereby accepted by Albert W. Schindler and Helen M. Schindler Assignee, and Assignee hereby agrees to perform all conditions of such assignment as set forth above.

DATED April 28, 1982

Albert W. Schindler

Helen M. Schindler

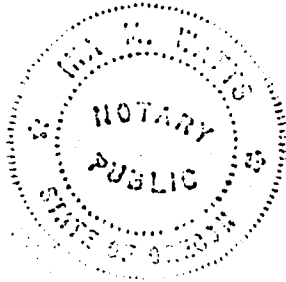
LAW OFFICES OF  
MERRILL & O'SULLIVAN

424 N.E. KEARNEY  
BEND, OREGON 97701

STATE OF OREGON     )  
                              ) ss.  
County of Deschutes )

7609

On April 28, 1982, personally appeared the above named ALBERT W. SCHINDLER and HELEN M. SCHINDLER and acknowledged the foregoing instrument to be their voluntary act. Before me:



Ima M. Watts  
Notary Public for Oregon  
My Commission Expires: 5-25-82

TO 1944 CA (8-74)

(Individual)

STATE OF CALIFORNIA

COUNTY OF Los Angeles } ss.

On March 9, 1982

before me, the undersigned, a Notary Public in and for said State, personally appeared David Castleberry and Ellowse Castleberry

\_\_\_\_\_, known to me  
to be the persons whose names are subscribed  
to the within instrument and acknowledged that they  
executed the same.

WITNESS my hand and official seal.

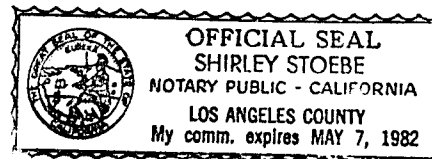
Signature

Shirley Stoebe  
Shirley Stoebe



TITLE INSURANCE  
AND TRUST

ATICOR COMPANY



(This area for official notarial seal)

DESCRIPTION OF PROPERTY

The following described real property situated in Klamath County, Oregon:

A tract of land lying in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  and the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 24, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Commencing at the intersection of the Southeasterly right-of-way line of the Dalles-California Highway and the Northeasterly right of way line of Tumbo Drive as shown on the duly recorded subdivision "Jack Pine Village"; thence North 59°12' West, 300.00 feet to the Northwesterly right of way line of said highway; thence North 30°48' East, along said Northwesterly right of way line 429.85, feet to the true point of beginning for description; thence North 59°12' West, 170.00 feet; thence South 30°48' West, 200.00 feet; thence North 59°12' West, 271.88 feet to the approximate centerline of an irrigation canal; thence North 34°12' East, along said centerline, 593.04 feet; thence South 59°12' East 406.71 feet to the said Northwesterly right of way line; thence South 30°48' West, along said Northwesterly right of way line 392.00 feet to the true point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record :

On 16 day of June A.D. 1982 at 8:30 o'clock A.M., and  
July recorded in Vol. M 82, of Deeds on Page 7606

Fee \$20.00

EVLLYN BIEHN, County Clerk

By Joyce McChase

Return

Bend Tittip Co.

P.O. Box 752

Bend, Oregon 97709.

EXHIBIT A