

31327

ASSIGNMENT AND CONVEYANCE BY OWNER
OF VENDEE'S INTEREST IN LAND SALE CONTRACT

Vol. 1483 Page 20836

DATE: October 21, 1983.

PARTIES: KEITH L. RICE, JR. and WILLIAM P. BRANDSNESS, TRUSTEES

Assignors,

VINCENT C. CARTER and
DELORES J. CARTER, husband and wife,

ASSIGNEES,

R E C I T A L S:

A. Assignors are the owners of the Vendee's Interest in Land Sale Contract dated October 12, 1977, recorded October 13, 1977 in Volume M77 at page 19518, Deed Records of Klamath County, Oregon, between BOB A. DORTCH and PAULA MARIAN DORTCH, husband and wife, as Sellers, and KEITH L. RICE, as Buyer. The property which is the subject of the Contract is described as follows (the Property):

A parcel of land situated in the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 10, Township 40 South, Range 9 East of the Willamette Meridian, being more particularly described as: Beginning at the Northeast corner of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10, said point being in the centerline of the County Road; thence South 89°45'43" West, 1000.15 feet to a 5/8 inch iron pin in the centerline of a drain ditch; thence along the drain ditch South 16°34'00" West 70.04 feet; thence continuing along said ditch, South 07°18'08" East 223.92 feet; thence continuing along said ditch, South 07°13'15" West 44.56 feet to a 5/8 inch iron pin on the South line of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10; thence leaving said ditch North 89°45'19" East 996.96 feet to the Southeast corner of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ thence North 00°03'04" East, along the East line of said Section 10, 333.32 feet to the point of beginning, EXCEPTING THEREFROM the East 295 feet of the above-described property. TOGETHER WITH a non-exclusive easement for purposes of ingress and egress by a 60 foot wide strip of land lying 30 feet on each side of the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10.

B. The Vendee's interest in the Contract was acquired by Assignors by assignment dated August 5, 1980, recorded August 5, 1980 in M-80, page 14523 Deed Records of Klamath County, Oregon.

C. The Assignors desire to assign and convey their interest in the Contract and the Property to Assignees and Assignees desire to acquire such interests on the terms and conditions set forth below:

AGREEMENT

ASSIGNMENT AND CONVEYANCE: Assignors hereby assign their interest in the Contract and convey their interest in the Property to Assignees:

COVENANTS: Assignors covenant as follows:

- 1) They are the owners of the Vendee's Interest in the Contract;
- 2) They are not in default under the terms of the Contract;
- 3) The Vendee's interest in the Contract is free of all

1. ASSIGNMENT

liens and encumbrances; and

4) The unpaid balance of the purchase price due under the Contract is \$8,948.76, with interest paid to October 18, 1983.

ASSIGNEES' ASSUMPTION: Assignees hereby assume the obligations of the Vendees under the Contract and agree to defend, indemnify and hold Assignors harmless therefrom.

CONSIDERATION: The consideration paid for this assignment is the sum of \$16,290.00, receipt of which is acknowledged by Assignors.

ATTORNEY'S FEES: In the event action is instituted to enforce any terms of this Assignment and Conveyance, the prevailing party shall recover from the losing party reasonable attorney fees incurred in such action as set by the trial court, and in the event of any appeal, as set by the appellate court.

LAND USE: This instrument does not guarantee that any particular use may be made for the property described in this instrument. A Buyer should check with the appropriate City and County Planning Departments to verify approved use.

ASSIGNORS:

Keith L. Rice, Jr.
Keith L. Rice, Jr., Trustee
William P. Brandsness
William P. Brandsness, Trustee

ASSIGNEES:

Vincent C. Carter
Vincent C. Carter
Delores J. Carter
Delores J. Carter

STATE OF OREGON)
County of Klamath) ss. October 21, 1983.

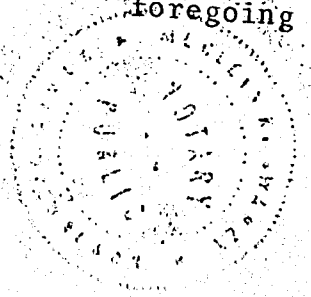
Personally appeared the above-named KEITH L. RICE, JR. and WILLIAM P. BRANDSNESS, Trustees, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Michael R. Luzzo
Notary Public for Oregon
My Commission expires: 9-16-85

STATE OF OREGON)
County of Klamath) ss. Nov. 30, 1983.

Personally appeared the above-named VINCENT C. CARTER and DELORES J. CARTER, husband and wife, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Michael R. Luzzo
Notary Public for Oregon
My Commission expires: 9-16-85



Ret: Brandsness + Huffman
411 Pine Street
N.F. O. 97601

STATE OF OREGON,)
County of Klamath)
Filed for record at request of

on this 7th day of Dec. A.D. 19 83
at 9:20 o'clock A M, and duly
recorded in Vol. M83 of Deeds
ago 20896

EVELYN BIEHN, County Clerk

By Ann Smith Deputy
Fee \$8.00

2. ASSIGNMENT