

43446

## A S S I G N M E N T

FOR THE CONSIDERATION stated below, LLOYD M. FARLEY, Assignor, hereby assigns and transfers to ROBERT J. CAMPBELL and RONALD W. BOEHLKE, Assignees, an undivided 1/3 interest in and to that certain Land Sale Contract dated April 9, 1981 between FRED W. KOEHLER, JR. and ALEX D. KRENTAL, general partners dba South Sixth Associates as Seller and ROBERT J. CAMPBELL, JOAN C. CAMPBELL, RONALD W. BOEHLKE, KATHERINE H. BOEHLKE and LLOYD M. FARLEY as Purchasers together with Assignor's right and an undivided 1/3 interest in and to the real property described as follows:

Beginning at a point 1100.3 feet East of the Northwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence East 645.2 feet more or less to the Southwest corner of land described in Deed recorded March 30, 1937 in Deed Volume 108, page 314, thence South 1659 feet to the North line of the Dalles-California Highway; thence North 46° 07' West along said Highway, 893 feet; thence North 1041.7 feet to the place of beginning,

## EXCEPTING THEREFROM the following:

A tract of land situated in the S $\frac{1}{2}$  of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Northeasterly right of way line of Highway 140, said point being 44 feet of center line at Engineer's Station 160+31.05, from which the  $\frac{1}{4}$  corner common to Section 1, Township 39 South, Range 9 East of the Willamette Meridian and Section 6, Township 39 South, Range 10 East of the Willamette Meridian bears North 61° 33' 14" East 2913. feet; thence North 46° 04' 33" West along said Northeasterly right of way line, 200.00 feet; thence North 43° 55' 27" East 81.07 feet to the centerline of the Enterprise Irrigation District Canal; thence along said canal centerline North 77° 39' 16" East 356.49 feet; thence South 00° 00' 23" East 150.00 feet; thence South 64° 39' 30" West 288.18 feet to the point of beginning with bearings based on and reference being Survey No. 3508, as recorded in the office of the Klamath County Surveyor.

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SUBJECT TO:

1. Taxes for the fiscal year 1983-84, delinquent.  
Amount: \$570.67, plus interest. Account No.: 43-3909-1CA-100  
Amount: \$11.98, plus interest. Account No.: 43-3909-1DC-1100  
Amount: \$6,032.99, plus interest. Account No.: 43-3909-1DB-1300  
Amount: \$740.07, plus interest. Account No.: 43-3909-1DB-1400
2. Taxes for the fiscal year 1982-83, delinquent.  
Amount: \$543.24, plus interest. Account No.: 43-3909-1CA-100  
Amount: \$12.73, plus interest. Account No.: 43-3909-1DC-1100  
Amount: \$334.33, plus interest. Account No.: 43-3909-1DB-1300  
Amount: \$11.38, plus interest. Account No.: 43-3909-1DB-1400
3. Taxes for the fiscal year 1981-82, delinquent.  
Amount: \$507.64, plus interest. Account No.: 43-3909-1CA-100  
Amount: \$12.96, plus interest. Account No.: 43-3909-1DC-1100  
Amount: \$346.25, plus interest. Account No.: 43-3909-1DB-1300
4. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
5. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
6. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
7. Grant of Right of Way Deed, including the terms and provisions thereof, from B. W. Short to The California Oregon Power Co., recorded May 22, 1926 in Volume 69, page 577, Deed Records of Klamath County, Oregon, for transmission and distribution of electricity.
8. Reservations, restrictions and easements as contained in Deed to the State of Oregon, by and through its State Highway Commission, recorded November 30, 1972 in Volume M72, page 13764, Microfilm Records of Klamath County, Oregon.
9. Indenture of Access, including the terms and provisions thereof, by and between the State of Oregon, by and through its State Highway Commission and J. D. and Bonnie B. Finchum, recorded April 25, 1973 in Volume M73, page 4912 Microfilm Records of Klamath County, Oregon, which document shows correct location of access to highway in reference to document recorded in Volume M72, page 13764, Microfilm Records of Klamath County, Oregon.
10. The right, title and interest of the public and/or governmental agencies in and to that portion of the above described property lying within Unity Street and Simmers Ave., as disclosed by Klamath County Assessor's maps.

11. Real Estate Contract, including the terms and provisions thereof,  
 Dated: April 9, 1981, a Memorandum of which was  
 Recorded: April 24, 1981  
 Volume: M81, page 7409, Microfilm Records of Klamath County, Oregon.  
 Vendor: Fred W. Koehler, Jr. and Alex D. Krental, general partners dba South Sixth Associates  
 Vendee: Southern Oregon Mgt. Corp., 2/3 interest and Lloyd M. Farley, 1/3 interest.

The Vendee's interest of Southern Oregon Mgt. Corp. was assigned by instrument,

Dated: April 9, 1981

Recorded: April 24, 1981

Volume: M81, page 7411, Microfilm Records of Klamath County, Oregon

To: Robert J. Campbell, Joan C. Campbell, Ronald W. Boehlke and Katherine H. Boehlke

(Affects Parcel 1)

12. Reservations and restrictions as contained in instrument recorded June 22, 1982 in Volume M82, page 7939, Microfilm Records of Klamath County, Oregon, to wit:

"The prescriptive right of way of the Enterprise Irrigation District Canal, and a 15-foot access easement lying Northerly of the following described line; beginning at the point of beginning of the above described tract of land; thence North 64° 39' 30" East 288.18 feet; ALSO a 13-foot easement for slope irrigation and drainage along the State Highway right of way and any easements or rights of way of record."

13. Irrigation Easement as evidenced on Survey #3508 on record in the County Surveyors office, Klamath County, Oregon.

Assignor hereby expressly covenants and warrants to assignee that assignor is the owner of the Purchaser's interest in the Contract.

The true and actual consideration paid for this assignment, is to satisfy debt.

Assignee hereby assumes the obligations of the Purchaser under the Contract, and agrees to defend, indemnify and hold Assignee harmless from and against such obligations.

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DATED this 21<sup>st</sup> day of Nov. 1984

ASSIGNOR:

ASSIGNEE:

*[Signature]*

\_\_\_\_\_  
\_\_\_\_\_

State of Oregon )  
County of Klamath ) ss.

21<sup>st</sup> The foregoing instrument was acknowledged before me this day of Nov. 1984 by Lloyd M. Farley

*[Signature]*  
NOTARY PUBLIC  
My Commission expires: 7/13/85

State of Oregon )  
County of Klamath ) ss.

The foregoing instrument was acknowledged before me this day of July, 1984 by Robert J. Campbell.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: \_\_\_\_\_

State of Oregon )  
County of Klamath ) ss.

The foregoing instrument was acknowledged before me this day of July, 1984 by Ronald W. Boehlke.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: \_\_\_\_\_

*Return:*  
*MTC*  
*attch:*  
*Linda Stille*

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STATE OF OREGON: COUNTY OF KLAMATH:ss  
I hereby certify that the within instrument was received and filed for record on the 21st day of November A.D., 19 84 at 2:14 o'clock P M, and duly recorded in Vol M84, of Deeds on page 19712.

Fee: \$16.00 Index 1.00

EVELYN BIEHN, COUNTY CLERK  
by: *[Signature]*, Deputy