

64682

Vol. M80 Page 14183

ASSIGNMENT OF CONTRACT

AND DEED IN LIEU OF FORECLOSURE

This Assignment between BERNARDO N. MENA and BERNADELLE MENA, husband and wife, hereinafter referred to as Assignor, and PATRICIA M. ROUSCH and GOLDEN PACIFIC INVESTMENT CORPORATION, hereinafter referred to as Assignee;

W I T N E S S E T H :

THAT WHEREAS, title to the real property hereinafter described is vested in Assignee Golden Pacific Investment Corporation and subject to an interest held by Assignor as set forth in that certain Contract of Sale executed by Assignor and Assignee Rousch on October 6, 1980, a memorandum of which having been recorded in the Official Records of Klamath County, Oregon on October 7, 1980, in Volume M80, Page 19381;

AND WHEREAS, Assignor anticipates being in default of the payment obligations set forth in said Contract of Sale and, being unable to pay the same, has requested that Assignee accept this Assignment of said Contract interest in satisfaction of the indebtedness now owing, and Assignee does now accede to said request;

NOW THEREFORE, in consideration of the cancellation of said indebtedness, Assignor does hereby grant, bargain, sell, and

-1- ASSIGNMENT OF CONTRACT

LAW OFFICES OF
DAVIS, AINSWORTH, PINNOCK, DAVIS & GILSTRAP, P.C.
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(503) 482-3111

'86 AUG 12 AM 10 02

14184

convey unto Assignee, Assignor's interest in the above contract of sale, the Vendor's interest in the contract of sale executed by Assignor and BOB J. DEAVOURS, JULIE A. DEAVOURS, and KAREN HANSEN in connection with Assignor's sale of the subject property to those individuals on May 25, 1984, and all of Assignor's interest in the real property situated in Klamath County, Oregon and described as:

See Exhibit "A" attached hereto and incorporated herein.

This Deed is intended as a conveyance, absolute in effect, of all Assignor's interest in the subject real property and any redemption rights which Assignor may have therein. Assignee acknowledges that possession of the subject real property is held by the above Deavours and Hansen pursuant to the contract of sale mentioned above. Assignor shall cooperate, as requested, with the foreclosure of said purchasers' interest in the subject property and shall execute all appropriate documentation to that end. Assignor is acting in reliance upon representations that Assignee is the owner of Vendor's interest in the subject contract.

This Deed was prepared on behalf of Assignor.

///

///

///

-2- ASSIGNMENT OF CONTRACT

14185

IN WITNESS WHEREOF, the parties herewith executed this instrument on the 17 day of July, 1986.

ASSIGNOR:

X Bernardo N. Mena
BERNARDO N. MENA

X Bernadelle Mena
BERNADELLE MENA

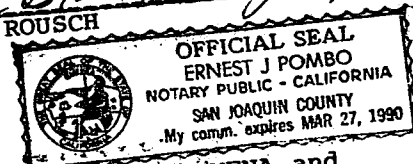
ASSIGNEE:

GOLDEN PACIFIC INVESTMENT CORP.

By: Michael L. Brant

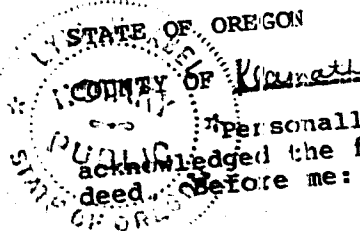
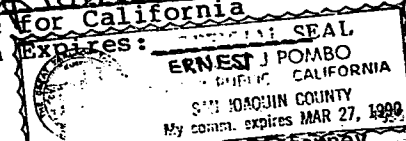
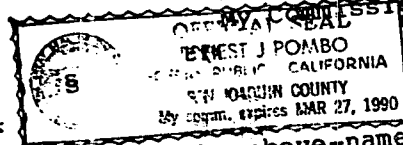
Patricia M. Roush
by Michael L. Brant, attorney in fact.
PATRICIA M. ROUSCH

STATE OF CALIFORNIA)
COUNTY OF San Joaquin)



Personally appeared the above-named BERNARDO N. MENA and BERNADELLE MENA and acknowledged the foregoing instrument to be a voluntary act and deed. Before me: Ernest J Pombo

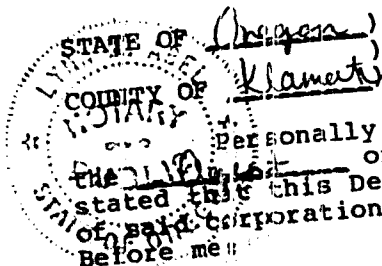
Notary Public for California
My Commission Expires: 3-27-90



STATE OF OREGON
COUNTY OF Klamath

Personally appeared the above-named Michael L. Brant in fact for Patricia Roush and acknowledged the foregoing instrument to be a voluntary act and deed. Before me: Lynne M. Abel

Notary Public for Oregon
My Commission Expires: 8-1-89



STATE OF Oregon
COUNTY OF Klamath

Personally appeared the above-named Michael L. Brant, of Assignee corporation, first being sworn, stated that this Deed was voluntarily signed and sealed on behalf of said corporation by authority of its Board of Directors. Before me:

Lynne M. Abel
Notary Public for Oregon
My Commission Expires: 8-1-89

Mail Tax Statements To:

-3- ASSIGNMENT OF CONTRACT

LAW OFFICES OF
DAVIS, AINSWORTH, PINNOCK, DAVIS & GILSTRAP, P.C.
815 EAST MAIN STREET
ASHLAND, OREGON 97520
(503) 482-3111

EXHIBIT "A"

14186

DESCRIPTION

That portion of the Chiloquin City Airport lying West of the State Highway Commission's right of way, being about three hundred feet wide on the North, and tapering to a point on the South forming a triangle, consisting of eleven and a small fraction acres, and more particularly described as follows:

Situated in Klamath County, Oregon: Beginning at a point in Section 33, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, which is 999 feet South and 984 feet, more or less, West from the corner common to Sections 27, 28, 33 and 34 of said Township and Range, and which point of beginning is the intersection of the Westerly right of way line of the newly located Dalles-California Highway as described in a deed recorded in Klamath County Deed Records, Volume 190, page 23, with the North line of a parcel of land deeded to the City of Chiloquin for airport purposes and described in a deed recorded in Klamath County Deed Records, Volume 107, page 483, thence West, along the North line of said airport property, a distance of 336 feet, more or less, to the Northwest corner of said property; thence South, along the West line of said airport property, a distance of 3,055 feet, more or less, to the Westerly right of way line of said highway; thence North 5° 36' 30" East along said right of way line, a distance of 3,070 feet; more or less to the point of beginning; being all that portion of ~~S¹/₂ S¹/₂ NE¹/₄ NE¹/₄~~, ~~SE¹/₄ NE¹/₄~~, and ~~E¹/₂ SE¹/₄~~ of Section 33, Township 34 South, Range 7 East of the Willamette Meridian, lying West of the newly located Dalles-California Highway.

Less that portion conveyed to the State of Oregon, by and through its State Highway Commission by deed dated May 1, 1947, recorded May 10, 1947, in Volume 206 at page 169, Deed Records of Klamath County, Oregon, more particularly described as follows: A parcel of land lying in the ~~S¹/₂ S¹/₂ NE¹/₄ NE¹/₄~~ and the ~~SE¹/₄ NE¹/₄~~ of Section 33, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, and being a portion of the following described property: That tract of land which was conveyed by that certain deed to Earl Hall, recorded in Book 196, page 457 of Klamath County Record of Deeds, the said parcel being described as follows:

Beginning at the intersection of the North line of the foregoing described property and the Westerly right of way line of the relocated The Dalles-California Highway; said point being 50 feet distant and Westerly from (when measured at right angles to) the relocated center line of said highway at Engineer's Station 3068+75.7 said point also being 1010 feet South and 986 feet West of the Northeast corner of Section 33, Township 34 South, Range 7 East of the Willamette Meridian; thence North 89° 56' 30" West along the North line of the foregoing described property a distance of 314.61 feet to the Northwest corner of said property; thence South 0° 10' 45" East along the West line of said property a distance of 496.38 feet; thence South 84° 23' 30" East a distance of 263.08 feet to a point on the Westerly right of way line of said Highway, said point being 50 feet distant Westerly from (when measured at right angles to) the relocated center line of said highway at Engineer's Station 3074+00; thence North 5° 36' 30" East along said right of way line a distance of 524.27 feet to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 12th day
of August, A.D., 19 86 at 10:02 o'clock A. M., and duly recorded in Vol. _____ M86,
of _____ Deeds _____ on Page 14183

FEE \$22.00

By: MIKE PHANT
325 MAIN ST., HFO.

Evelyn Biehn, County Clerk
By: *[Signature]*