

68149

ASSIGNMENT OF CONTRACT

Vol. M82 Page 20750

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, for the consideration hereinafter stated, hereby grants, bargains, sells, assigns and sets over unto
South Valley State Bank

title and interest in and to that certain attached, ~~unrecorded~~ ^{his heirs, successors and assigns all of the vendee's right,} contract dated June 18, 1982, between John A. Schubert and Virginia H. Schubert, as seller, and Batsell Bros. Oil Co. titled as Batsell Bros. Oil Co., Inc., an Oregon corporation as buyer, for the sale and purchase of the following described real estate in Klamath County, Oregon:
Vol M82 page 7839

See attached Exhibit "A" by this reference made a part hereto.

This Assignment of Contracts is one of nine documents securing a loan to Batsell Bros. Oil Co. dated October 15, 1986 in the amount of \$150,000.00 with maturity of October 1, 1987.

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 undersigned is the owner 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 \$71,466.70 with interest paid thereon to 1-7-1986; 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 \$ see above.
① However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which) the whole.

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: October 13, 1986

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

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

STATE OF OREGON,

County of _____

Personally appeared the above named _____, 19 _____

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

Before me:

Notary Public for Oregon

My commission expires: _____

(OFFICIAL SEAL)

*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.

Batsell Bros. Oil Co.

By: Richard R. Batsell - vice-president
Larry D. Batsell - president

STATE OF OREGON, County of Klamath

Personally appeared Richard R. Batsell and Larry D. Batsell who, being duly sworn, each for himself and not one for the other, did say that the former is the vice president and that the latter is the president of Batsell Bros. Oil Co. 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: 6-21-88

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

SOUTH VALLEY STATE BANK
5215 SOUTH SIXTH STREET
KLAMATH FALLS OR 97603

NAME, ADDRESS, ZIP

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

Batsell Brothers Oil Co.
2300 4th Street
Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____

I certify that the within instrument was received for record on the _____ day of _____, 19 _____, at _____ o'clock _____ M., and recorded in book _____ On page _____ of 88 file/reel number _____

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By _____ Deputy

SPACE RESERVED
FOR
RECORDER'S USE

EXHIBIT "A"

20751

Assignment of contract dated October 15, 1986 between John A. & Virginia H. Schubert and Batsell Bros. Oil Co., Inc.
Trust Deed dated October 15, 1986 Richard & Katherine Batsell.

A piece or parcel of land situated in the NE $\frac{1}{4}$ of Section 25, Township 37 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and being more particularly described as follows:

Beginning at an iron pipe on the Easterly right of way line of State Highway No. U.S. 97, as the same is presently located and constructed on the ground, from which the monument marking the meander corner common to Section 25, Township 37 South, Range 8 East of the Willamette Meridian and Section 30, Township 37 South, Range 9 East of the Willamette Meridian bears South 51° 02-3/4' East 628.9 feet distant (said point of beginning being also 50.0 feet distant from when measured at right angles to, Station 329/24.3 of the centerline of said Highway No. 97); thence North 69° 12-1/3' East 230.0 feet, more or less, to the Westerly right of way line of the County Road (Old Highway No. 97), which point is 30.0 feet from, when measured at right angles to, the centerline of said county road, and from which point an iron pipe reference monument bears North 69° 12-1/3' East 10.0 feet distant; thence following the said Westerly right of way line of said County Road in a Northerly and Westerly direction to its intersection with the Easterly right of way line of said State Highway No. U. S. 97; thence Southerly and Easterly along the said Easterly right of way line of said State Highway to the point of beginning. The basis of bearings for the above description being South 1° 31' East for the centerline of the said State Highway from the said Station 329/24.3 Southerly.

EXCEPT THEREFROM any portion lying within the State Highway right of way.
SUBJECT TO contracts and/or liens for irrigation and/or drainage, and subject to reservations and restrictions of record and easements and rights of way of record and those apparent on the land.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of _____ November _____ A.D., 19 86 at 3:06 o'clock _____ P. M., and duly recorded in Vol. M86
of _____ Deeds _____ on Page 20750

FEE \$9.00

Evelyn Biehn,
By _____

County Clerk