

MTC 19445-K

85118

ASSIGNMENT OF CONTRACT

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KNOW ALL MEN BY THESE PRESENTS, That the undersigned, for the consideration hereinafter stated,

has sold and assigned and hereby does grant, bargain, sell, assign and set over unto

CARLYLE B. WHITMAN

assigns, all of the vendee's right, title and interest in and to that certain contract for the sale of real estate dated

March 1

, 19 79 , between

BRANDSNESS ENTERPRISES, INC., an Oregon corporation

as seller and TOM FOWLEY, ELDON POWLEY, and STEVE POWLEY

as buyer, which contract is recorded in the Deed* Miscellaneous* Records of Klamath County, Oregon, in book/reel/volume No. M79 at page 5520 thereof, or as fee/file/instrument/microfilm/reception No. 63817 (indicate which), (reference to said recorded contract hereby being expressly made), 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 \$ 12,322.91 with interest paid thereon to February 9, 19 88; 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 \$ to clear title. 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: March 11, 19 88

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

STATE OF OREGON,

County of Klamath

March 11, 19 88

Personally appeared the above named
TOM POWLEY, ELDON POWLEY, and
STEVE POWLEY

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11/16/91

TOM POWLEY

ELDON POWLEY

STEVE POWLEY

STATE OF OREGON, County of

, 19

ss.

Personally appeared

and

each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

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:

(OFFICIAL SEAL)

(If executed by a corporation, affix corporate seal)

*Strike whichever word not applicable. NOTE—The sentence between the symbols (), 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.

TOM POWLEY, ELDON POWLEY, and STEVE POWLEY

GRANTOR'S NAME AND ADDRESS

CARLYLE B. WHITMAN

355 Obregon

San Antonio, TX 78207

GRANTEE'S NAME AND ADDRESS

After recording return to:

MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY

407 Main Street

Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

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

NO CHANGE

NAME, ADDRESS, ZIP

SPACE RESERVED
FOR
RECORDER'S USESTATE OF OREGON,
County of Klamath

ss.

I certify that the within instrument was received for record on the 11th day of March, 1988, at 12:15 o'clock P.M., and recorded in book/reel/volume No. M88 on page 3388 or as fee/file/instrument/microfilm/reception No. 85118, Record of Deeds of said county.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By Pam Smith Deputy

Fee: \$5.00