

OK

14866

ASSIGNMENT OF CONTRACT

mtc 1390-2011

Vol. m90 Page 9237

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

his heirs, successors and assigns all of the vendee's right, title and interest in and to that certain attached, unrecorded contract dated DECEMBER 28, 1978, between EMIL B. WELLS AND HALCYON E. WELLS as seller, and I. F. RODGERS & SONS, A CO-PARTNERSHIP CONSISTING OF I. F. RODGERS, * as buyer, for the sale and purchase of the following described real estate in KLAMATH County, Oregon:

SEE ATTACHED EXHIBIT 1 BY THIS REFERENCE MADE A PART HEREOF.

*LORRAINE RODGERS, RONALD RODGERS, RUSSELL RODGERS AND RADLEY RODGERS

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 \$ 216,274.00 with interest paid thereon to FEBRUARY 13, 1987; 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 \$ 716,000.00
① However, the actual consideration consists of or includes other property or value given or promised which is ^{part of the} _{the whole} consideration (indicate which) ①

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: MAY 1, 1990

SEE ATTACHED SCHEDULE 3 FOR SIGNATURES

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 _____ ss.

Personally appeared the above named _____, 19_____,

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

STATE OF OREGON, County of _____ ss.

Personally appeared _____, 19_____,

and _____ who, being duly sworn, 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 _____,

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:

(OFFICIAL SEAL)

(If executed by a corporation, affix corporate 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.

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

SOUTH VALLEY STATE BANK
801 MAIN STREET
KLAMATH FALLS, OR 97601

NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____ ss.

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 _____ or as file/reel number _____.

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By _____

Deputy

SCHEDULE 3

SIGNATURES TO ASSIGNMENT OF UNRECORDED REAL ESTATE CONTRACT
BY VENDEE-BUYER FOR \$716,000.00 DATED MAY 1, 1990

I. F. RODGERS & SONS, A CO-PARTNERSHIP

BY: I. F. Rodgers Isiah F. Rodgers
I. F. RODGERS AKA ISIAH F. RODGERS, PARTNER

BY: Lorraine Rodgers Lorraine G. Rodgers
LORRAINE RODGERS AKA LORRAINE G. RODGERS, PARTNER

BY: Ronald Rodgers Ronald R. Rodgers
RONALD RODGERS AKA RONALD R. RODGERS, PARTNER

BY: Russell R. Rodgers Russell Rodgers
RUSSELL RODGERS AKA RUSSELL R. RODGERS, PARTNER

BY: Radley Rodgers Radley R. Rodgers
RADLEY RODGERS AKA RADLEY R. RODGERS, PARTNER

MOUNTAIN TITLE COMPANY, has recorded this
instrument by request of an attorney at law only,
and has not examined it for accuracy and sufficiency
or as to its effect upon the title to any real property
that may be described therein.

NOTARY:

STATE OF OREGON
COUNTY OF KLAMATH

} ss.

May 7th, 1990

Signed before me this 7th day of May, 1990.

Tennie L. Hunsicker
Notary Public
My Commission Expires: 2-12-91

Personally appeared the above named I. F. Rodgers, Partner, Lorraine G. Rodgers, Partner, Ronald R. Rodgers, Partner, Russell R. Rodgers, Partner, and Radley R. Rodgers, Partner, and acknowledged the foregoing instrument to be their voluntary act and deed.
Before me this 7th day of May, 1990:

Tennie L. Hunsicker
Notary Public for Oregon
My commission expires: 2-12-91

EXHIBIT 1Parcel Three:

Township 40 South, Range 11 East of the Willamette Meridian:

Section 3: All of Government Lots 2, 3, 4, 5, 6, 7, 10, 11 and 12

Excepting therefrom a parcel of land situated in Government Lct 4, being more particularly described as follows: Beginning at the intersection of the South line of South Poe Valley Road and the East line of Schaupp Road; thence South along the East line of Schaupp Road, a distance of 492 feet, more or less, to an existing fence; thence East along existing fence line a distance of 840 feet; thence in a Northwesterly direction following the centerline of an existing irrigation ditch, 531 feet, more or less, to a point on the South line of the South Poe Valley Road; thence West along the South line of said road a distance of 625 feet, more or less, to the point of beginning, in Section 3, Township 40 South, Range 11, E.W.M.

Also Excepting therefrom that portion thereof conveyed by John Fischer to the United States of America recorded in Deed Volume 39 on page 20, Deed Records of Klamath County, Oregon.

Section 4: Government Lots 8 and 9

I. F. RODGERS & SONS

RR & FR R.R.R. R.R.R. G.O.R.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 15th day of May A.D., 19 90 at 10:30 o'clock A.M., and duly recorded in Vol. M90 of Deeds on Page 9237.

FEE \$38.00

Evelyn Biehn, County Clerk

By Pauline Mullender