

OS 18545

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

THE FERRARESE FAMILY TRUST

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

August 24, 1979, between HERMAN PENDERGRAFT AND LAURA N. PENDERGRAFT, husband and wife

as seller and ART DAVINA AND MARY M. DAVINA, husband and wife

as buyer, which contract is recorded in the Deed* Miscellaneous* Records of Klamath County, Oregon, in book/reel/volume No. M79 at page 20434 thereof, or as fee/file/instrument/microfilm/reception No. (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 \$240,898.80 with interest paid thereon to July 31, 1990;

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 \$300,000.00.

However, the actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which).⁰

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: JULY 20, 1990

FREDERICK W. SMITH, JR.

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 CALIFORNIA

COUNTY OF STANISLAUS

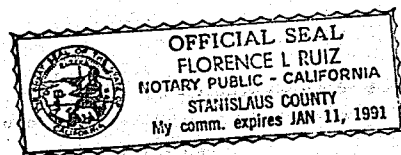
ss.

On this 20th day of July, in the year 1990

before me, FLORENCE L. RUIZ, a Notary Public, State of California, duly commissioned and sworn, personally appeared FREDERICK W. SMITH, JR.

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name subscribed to this instrument, and acknowledged that he executed it.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in the City of Oakdale Stanislaus County on the date set forth above in this certificate.



This document is only a general form which may be proper for use in simple transactions and in no way acts, or is intended to act, as a substitute for the advice on an attorney. The printer does not make any warranty, either express or implied as to the legal validity of any provision or the suitability of these forms in any specific transaction.

My commission expires

1-11-91

Cowdery's Form No. 32 — Acknowledgement to Notary Public — Individuals — (C.C. Sec. 1189) — (Rev. 1/83)

Frederick W. Smith, Jr.

GRANTOR'S NAME AND ADDRESS

The Ferrarese Family Trust

GRANTEE'S NAME AND ADDRESS

After recording return to:

Mountain Title Company

NAME, ADDRESS, ZIP

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

The Ferrarese Family Trust
9657 Rodden Rd.
Oakdale, California 95361

NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.
County of Klamath

I certify that the within instrument was received for record on the 6th day of Aug., 1990, at 3:54 o'clock P.M., and recorded in book/reel/volume No. M90 on page 15682 or as fee/file/instrument/microfilm/reception No. 18545 Record of Deeds of said county.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk
NAME TITLE

By Raoul M. Mulholland Deputy

SPACE RESERVED
FOR
RECORDER'S USE

Fee \$28.00