

WHEN RECORDED MAIL TO:

U.S. Small Business Administration  
P.O. Box 13795  
Sacramento, CA 95853

MTN 31843

Vol. 1194 Page 35388

SBA Loan No. DLB 60316430-03

Roberto R. and Sylvia R. Davila

ASSIGNMENT OF INSTALLMENT LAND  
CONTRACT AS SECURITY FOR A LOAN

This Assignment, made this 4 day of November, 1993 by  
Roberto R. Davila and Sylvia R. Davila

(hereinafter called ASSIGNOR), to the Small Business Administration, an Agency of the United States Government (hereinafter called ASSIGNEE), and acknowledged and the terms agreed to by Hal R. Braiker, Barbara W. Braiker, Ernest M. Park and Virginia M. Park (hereinafter called SELLER).

WITNESSETH:

WHEREAS, ASSIGNOR and SELLER have entered into an installment land contract designated a) Land Sale Contract (hereinafter called CONTRACT) dated June 23, 1987 and recorded on as Instrument No. 80621 in Book M87 at Page(s) 18910 of the Official Records of Klamath County, State of Oregon; and

WHEREAS, ASSIGNOR has acquired an interest from SELLER under CONTRACT in and to the following described real estate and improvements thereon located in the County of Klamath, State of Oregon:

Parcel 1: The Southeasterly  $\frac{1}{2}$  of Lots 9 and 10, Block 84, KLAMATH ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

WHEREAS, ASSIGNEE has approved a disaster loan to Roberto R. Davila and Sylvia R. Davila (hereinafter called BORROWER) in the amount of \$158,200.00; and

WHEREAS, said disaster loan provides valuable consideration of ASSIGNOR; and

WHEREAS, ASSIGNEE has requested as collateral security for said loan to BORROWER, an assignment, with full right of re-assignment, of all of ASSIGNOR'S rights, title and interest under said CONTRACT; and

WHEREAS, ASSIGNEE requires the recordation of this ASSIGNMENT; and

WHEREAS, ASSIGNEE requires an additional security for said loan a Deed of Trust from ASSIGNOR conveying the real estate and improvements described herein above;

NOW THEREFORE, in order to induce ASSIGNEE to disburse all or any part of the said loan to BORROWER, and intending to be legally bound hereby, ASSIGNOR does hereby assign and transfer, with right of re-assignment to ASSIGNEE, all of its rights, title and interest in the said CONTRACT any amendments thereto, to have and to hold the same as additional security for the payment of principal and interest to be paid, and for the performance and observance of all the covenants contained in SBA Form 147B Note, and any other loan document given by BORROWER to ASSIGNEE in connection with the said loan.

ASSIGNOR hereby covenants and agrees further as follows:

1. That he will continue to honor all terms and conditions of the CONTRACT and any amendments thereto.
2. That all modifications of the CONTRACT required by this ASSIGNMENT are made with his consent and at his request.
3. That he will not change or alter the terms of the CONTRACT between himself and SELLER without the prior written consent of ASSIGNEE.

4. That ASSIGNEE may record the CONTRACT and this ASSIGNMENT in such place or places as ASSIGNEE may deem appropriate.
5. Any notice of default served upon, or otherwise given ASSIGNOR by SELLER will be forwarded within five (5) days of receipt to ASSIGNEE by Certified Mail to 222 Southwest Columbia Street, Suite 500, Portland, Oregon 97201-6605  
All notices of default served upon, or otherwise given SELLER by ASSIGNOR, will be forwarded to ASSIGNEE in the same manner.
6. In the event ASSIGNOR receives a deed to the above property prior to complete satisfaction of the loan to BORROWER, ASSIGNOR agrees to execute and deliver over to ASSIGNEE a real estate Deed of Trust and such other documentation as ASSIGNEE may require to maintain its security interest in the above described property.

Acknowledged and agreed to by:

Hal R. Braiker  
SELLER Hal R. Braiker  
Barbara W. Braiker  
Barbara W. Braiker  
Ernest M. Park  
Ernest M. Park  
Virginia M. Park  
Virginia M. Park

Roberto R. Davila  
ASSIGNOR Roberto R. Davila  
Sylvia R. Davila  
Sylvia R. Davila

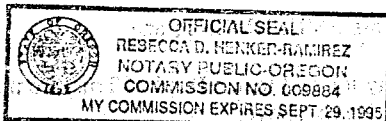
STATE OF OREGON

COUNTY OF Klamath

ss.

On this day there personally appeared before me Roberto R. Davila and Sylvia R. Davila, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of August, 1994.



Rebecca D. Henker-Ramirez  
Notary Public in and for the  
State of Oregon  
Residing at Klamath County  
My Commission Expires: 9-29-95

STATE OF OREGON

COUNTY OF Deschutes

ss.

On this day there personally appeared before me Hal R. Braiker & Barbara W. Braiker and Ernest M. Park & Virginia M. Park, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 26th day of October, 1994.



Sharon Riste  
Notary Public in and for the  
State of Oregon  
Residing at Sisters  
My Commission Expires: 2-27-98

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company the 17th day  
of November A.D., 19 94 at 10:43 o'clock A. M., and duly recorded in Vol. M94,  
of Mortgages on Page 35388.

Evelyn Biehn County Clerk

By Lynette H. Hagg

FEE \$20.00