

95179

02-22-95ATT:10 RCVD

ASSIGNMENT OF CONTRACT

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KNOW ALL MEN BY THESE PRESENTS, That the undersigned, hereinafter called the assignor, for the consideration hereinafter stated, has sold and assigned and hereby does grant, bargain, sell, assign and set over unto Carl B. Thornton

hereinafter called the assignee, and to assignee's heirs, successors and assigns, all of the vendor's right, title and interest in and to that certain contract for the sale of real estate dated March 10, 1994, between

Timm Burr Inc. as seller and Henry Wheeler and Linda Wheeler

as buyer, which contract is recorded in the Deed* Miscellaneous* Records of Klamath County, Oregon, in book/reel/volume No. M94 at page 12326 and/or as fee/file/instrument/microfilm/reception No.

(indicate which), reference to that recorded contract hereby being expressly made, together with all the right, title and interest of the assignor in and to all moneys due and to become due thereon. The assignor also hereby conveys to the assignee the property described in the contract and the legal title thereto which is held to secure performance of the vendee's obligation created thereby. The assignor hereby expressly covenants and warrants to the above-named assignee that the assignor is the owner of the vendor's interest in the real estate described in the contract of sale and that the unpaid principal balance of the purchase price thereof is not less than \$3778.38 with interest paid thereon to December 19, 1994.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 3778.38

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, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this assignment shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the undersigned assignor has hereunto executed this assignment; if the undersigned is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

DATED: February 17, 1995

Randy S. Shaw (Pres.) Timm Burr Inc., an Oregon Corporation

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on February 17, 1995, by Timm Burr Inc., an Oregon Corporation By Randy Shaw, President

This instrument was acknowledged before me on by as

Diane Seymour Notary Public for Oregon

My commission expires September 18, 1998



* Strike inapplicable word. NOTE--If not applicable, delete the sentence between the symbols @. If the contract is not already of record, it should be recorded.

Form with fields for Grantor's Name and Address, Grantee's Name and Address, and recording information. Includes address: Klamath County Title Co., 422 Main St., Klamath Falls, Or. 97601 Coll. Dept.

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of Klamath ss.

I certify that the within instrument was received for record on the 22nd day of Feb, 1995 at 11:16 o'clock A.M. and recorded in book/reel/volume No. M95 on page 3854 and/or as fee/file/instrument/microfilm/reception No. 95179, Record of Deeds of said County.

Witness my hand and seal of County affixed.

Bernetha G. Letsch, Co. Clerk NAME TITLE By Dianne Mullins, Deputy

FEE: \$30.00