

95 DEC 11 P1:23

## BILL OF SALE

Gearld A. Rainwater & Donna Rainwater ("Seller"), of 4200 Summers Lane Space #63, Klamath Falls, Oregon 97601, does hereby sell, assign and transfer to T.H.T., Inc. ("Buyer"), of 123 N4th St., Klamath Falls, Oregon 97601, the property described in the attached Exhibit A for the amount of \$ 10,166.08.

The Seller warrants that the property is being transferred to the Buyer free and clear of any liens and encumbrances.

The Sellers agrees to help buyers start business by advising for no longer than a total time period of thirty (30) hours at no additional charge to the Buyers.

The above property is sold on an "as is" basis. The Seller makes no warranties, express or implied (except as specifically stated above).

This transfer is effective as of December 11, 1995.

The property is now located at 1745 Austin Street, Klamath Falls, Oregon 97601, and all of such property is in the possession of the Seller.

The Sellers hereby agree not to compete, in the retail food service industry, in Klamath County, for a period of ten (10) years from the date of this agreement.

WITNESS My hand this 11 day of December, 1995

## SELLERS:

Gearld A. Rainwater & Donna Rainwater

By:

Gerald A. Rainwater Donna Rainwater  
Gearld A. Rainwater & Donna Rainwater

## BUYERS

T.H.T., Inc.

By:

William W. Tinniswood

William W. Tinniswood  
Secretary/Manager

STATE OF OREGON )

) ss

COUNTY OF KLAMATH )

Return: Gerald A. & Donna Rainwater  
4200 Summers Ln. Sp. 63  
Klamath Falls, OR 97603

1500 of  
2-9-96

We, Gerald A. Rainwater and Donna Rainwater, being first duly sworn, depose and say that we are the sole owners of the property described in the foregoing bill of sale, that the same has been paid for in full, and that on this date the same is free and clear of liens and encumbrances of every kind and nature except taxes as noted above.

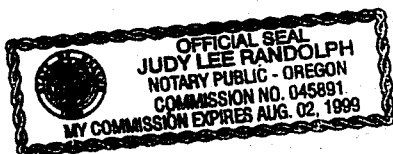


Judy Lee Randolph  
 Subscribed and sworn to before me  
 December 11, 1995

Notary Public for Oregon

My Commission Expires: Aug 2, 1999

STATE OF OREGON, County of Klamath )ss  
 This instrument was acknowledge before me on December 11, 1995,  
 By William W. Tinniswood  
 as Secretary/Manager  
 of T.H.T., INC.



Judy Lee Randolph  
 Notary Public for Oregon  
 My Commission Expires: Aug 2, 1999

**EXHIBIT A**

1. All rights to the Business known as "SMO'S Drive In, by Jerry";
2. The Building located at 1745 Austin St., Klamath Falls, Or.;
3. All equipment located in the building and on the property in #2 above;
4. All rights to the business's menus, receipes, and etc.;
5. The goodwill of the business.

Buyers will pay \$166.08 of the real and personal property taxes for the year 1995-96.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Gerald A. & Donna Rainwater the 11 day  
of Dec. A.D., 19 95 at 1:23 o'clock P. M., and duly recorded in Vol. M95,  
of Miscellaneous on Page 33736.

Bernetha G. Letsch, County Clerk

FEE \$15.00  
2.00cc

By 