97 MAR 31 P2:19

AFTER RECORDING, RETURN TO:

JAMES H. SMITH Attorney at Law 711 Bennett Ave. Medford, OR 97504

ASSIGNMENT AND CONVEYANCE BY OWNER OF SELLER'S INTEREST IN LAND SALE CONTRACT

DATE:

MARCH 19, 1997

PARTIES:

EDWARD A. MEDINA and ROSE MARIE MEDINA, "Assignor"

EDWARD A. MEDINA AND ROSE MARIE MEDINA TRUSTEES OR THEIR SUCCESSORS IN TRUST, UNDER THE MEDINA LOVING® TRUST DATED MARCH 19, 1997, AND ANY AMENDMENTS THERETO, "Assignee"

## RECEPALS:

A. Assignor holds legal title to the following described real property located in Klamath County, Oregon:

The Westerly 50 feet of the Westerly 100 feet of Lot 1, Block 2, First Addition to Altamont Acres, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

- B. Assignor has sold the property under terms of a Land Sale Contract dated November 28, 1995 by and between EDWARD A. MEDINA and ROSE MARIE MEDINA, as Seller and EDWARD A. MEDINA, JR., Purchaser, which Memorandum of Land Sale Contract was recorded on November 30, 1995 as Volume M95 Page 32672 in the Official Records of Klamath County, Oregon.
- C. Assignor desires to assign and convey all their right, title and interest in the Land Sale Contract and the property to EDWARD A. MEDINA AND ROSE MARIE MEDINA TRUSTEES OR THEIR SUCCESSORS IN TRUST, UNDER THE MEDINA LOVING® TRUST DATED MARCH 19, 1997, AND ANY AMENDMENTS THERETO, Assignee. Assignor desires to acquire such interest on the terms and conditions set forth below:

## AGREEMENT

1. <u>Assignment and Conveyance:</u> Assignor hereby assigns their right, title and interest in the Contract and conveys their right,

title and interest in the Property to Assignse.

- 2. <u>Assignee's Assumption:</u> Assignee hereby assumes the obligations of the seller under the Contract and agrees to defend, indemnify and hold Assignor harmless therefrom.
- 3. <u>Consideration:</u> The consideration paid for this assignment is NONE. This assignment and conveyance is made to transfer title to a living trust.
- 4. Representations: 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.
- 5. <u>Context:</u> In construing this assignment, it is understood that if the context so requires, the singular shall be taken to mean and include the plural, 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. Any references to seller shall include the term "vendor," and purchaser shall include the terms "buyer" or "vendor."

| "vendor," and purchase "vendee."                                                                            | er shell include the terms "buyer" or                                                                              |
|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| ASSIGNOR:                                                                                                   | ASSIGNEE:                                                                                                          |
| Edward A. MEDINA                                                                                            | EDWARD A. MEDINA, Trustee                                                                                          |
| ROSE MARIE MEDINA                                                                                           | ROSE MARIE MEDINA, Trustee                                                                                         |
| STATE OF OREGON<br>County of Klamath                                                                        | )<br>: ss.<br>)                                                                                                    |
| EDWARD A. MEDINA and                                                                                        | th day of March, 1997, personally appeared ROSE MARIE MEDINA and acknowledged the be their voluntary act and deed. |
| OFFICIAL SEAL JAMES H. SMITH NOTARY PUBLIC-OREGON COMMISSION NO. 047056 MY COMMISSION EXPIRES OCT. 31, 1999 | JAMES M. SMITH My Commission expires: 10/31/99                                                                     |
|                                                                                                             |                                                                                                                    |

-2- ASSIGNMENT & CONVEYANCE BY OWNER OF SELLER'S INTEREST IN LAND SALE CONTRACT

| STATE    | OF OREGON: COU          | NTY OF KLA | MATH: ss.      |             |                              |                                |             |                                        |
|----------|-------------------------|------------|----------------|-------------|------------------------------|--------------------------------|-------------|----------------------------------------|
| Filed fo | or record at request of |            | James H.       | . Smith     |                              | the                            | 31st<br>M97 | day                                    |
| of       | March                   | A.D., 19   | 97_ut<br>Deeds | Z:19 o'clox | :k <u>£•</u> M.,/<br>on Page | and duly recorded in Vol. 9258 |             | K.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
|          |                         |            |                |             |                              | Bernetha G. Letsch, S          |             |                                        |
| FFF      | \$35.00                 |            |                |             | by/                          | attern 1                       | has -       |                                        |