

**DEED AND SELLER'S ASSIGNMENT OF REAL ESTATE CONTRACT**

**THE GRANTOR**, A.B. Merrill, Inc., a Corporation, for value received conveys and warrants to Western United Life Assurance Company, a Corporation, **THE GRANTEE**, the following described real estate, situated in the County of Klamath, State of Oregon, including any interest therein which grantor may hereafter acquire:

A parcel of land situated in the NE1/4NW1/4 of Section 24, Township 31 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:  
All of that portion of said NE1/4NW1/4 lying Westerly of the Westerly right of way line of the U.S. Highway No. 97 and North of the centerline of Sand Creek.

and does hereby assign, transfer and set over to the grantee that certain real estate contract dated April 1, 1997, between FRED D. TUTTLE AND PAMELA K. TUTTLE, HUSBAND AND WIFE, as seller and STEVEN D. ALLEN AND ARLENE D. ALLEN, HUSBAND AND WIFE, as purchaser, as recorded on April 1, 1997, in Volume M97, at Page 9495, Records of Klamath County, Oregon, for the sale and purchase of the above described real estate.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$111,378.00. However, the actual consideration may consist of or include other property or value given or promised which is all of the consideration.

"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."

The grantee assumes no obligations on the real estate contract other than to hold title in trust and give a deed upon payment of contract price. The grantor hereby covenants that there is now unpaid on the principal of said contract the sum of \$186,611.36 (approximately).

DATED: this 15th day of June, 1999.

A.B. Merrill, Inc., A Corporation

BY: Valerie Halalay  
ITS: President

**AFTER RECORDING RETURN TO:**

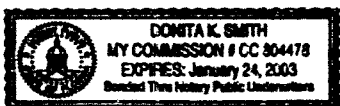
Western United Life Assurance Company  
Metropolitan Financial Center  
601 W 1st Ave, Dept. 113300  
Spokane, WA 99201

35  
No change on taxes.

STATE OF Florida )  
 County of Palm Beach ) ss.

On this 15th day of June, 1999, before me, the undersigned, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally appeared Valerie Halaby to me known to be the President of A.B. Merrill, Inc., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



Donita K. Smith  
 Printed/Typed Notary Name Donita K. Smith  
 Notary Public in and for the State of Florida  
 Residing at/in Palm Beach Co.  
 My commission expires January 24, 2003

THIS SPACE PROVIDED FOR RECORDER'S USE

When Recorded Return By Mail To:

WESTERN UNITED LIFE ASSURANCE  
 COMPANY  
 METROPOLITAN FINANCIAL CENTER  
 601 W. 1ST AVE., DEPT. 113300  
 SPOKANE, WA 99201

Prepared By: Shellie Findley

Account Reference # 10003413

State of Oregon, County of Klamath  
 Recorded 6/21/99, at 2:53 p. m.  
 In Vol. M99 Page 24353  
Linda Smith,  
 County Clerk Fee \$ 35 KK