

ASSIGNMENT OF CONDITIONAL SALES CONTRACT  
AND SECURITY AGREEMENT

1999 NOV 19 PM 12: 55

FOR VALUE RECEIVED, Terrill M. Baner, individually, and Terrill M. Baner, M.D. Ltd., an Illinois Corporation, of the County of Rock Island, and State of Illinois, do hereby grant, bargain, sell, assign, transfer, and set over to:

Evelyn E. Ewell, Trustee of the Howard Charles Hassett 1994 Trust dated September 27, 1994 and Mary Ann Hassett, Trustee of the Mary Ann Hassett 1994 Trust dated September 27, 1994.

and to its heirs, assigns, and successors in interest that portion of our right, title and interest in and to the Conditional Sales Contract and Security Agreement dated February 7, 1994 between Howard C. Hassett and Mary Ann Hassett, Husband and Wife, and MSI Enterprises, Inc., an Oregon corporation.

That said Conditional Sales Contract and Security Agreement was memorialized by the Memorandum of Conditional Sales Contract and Security Agreement dated February 7, 1994 and recorded February 22, 1994 in Volume M94, page 5771, Microfilm Records of Klamath County, Oregon, wherein Howard C. Hassett and Mary Ann Hassett, husband and wife, were the Sellers, and MSI Enterprises, Inc. was the Buyer.

Said Conditional Sales Contract and Security Agreement created a security interest in certain personal property, fixtures, equipment and inventory utilized in the operation of a certain business entity known as Mollie's Restaurant and Lounge and Mollie's Fuel Center, such personal property being located upon the following described real property in Klamath County, State of Oregon, legally described on Exhibit A, attached hereto and incorporated by reference herein as if fully set forth.

IN WITNESS WHEREOF, the undersigned has executed this Assignment this 16<sup>th</sup> day of April, 1995.

Terrill M. Baner, M.D. Ltd.

Terrill M. Baner  
Terrill M. Baner

By: Terrill M. Baner  
Terrill M. Baner  
President

STATE OF IOWA )  
COUNTY OF SCOTT ) ss:

This instrument was acknowledged before me on the 16<sup>th</sup> day of April, 1995 by Terrill M. Baner, individually, and Terrill M. Baner, as President of Terrill M. Baner, M.D. Ltd., an Illinois Corporation.



Richard I. Vesole  
Notary Public

cc  
Bk. Neil Buchanan

# EXHIBIT "A"

## LEGAL DESCRIPTION

### PARCEL 1

The following described real property situated in Klamath County, Oregon:

A piece or parcel of land situated in the NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and more particularly described as follows:

Beginning at an iron pipe which is South 0 degrees 06' West 323.4 feet and North 89 degrees 49' West 234.2 feet from the NE Section Corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon which point of beginning is also the NE corner of that certain tract of land conveyed to Elmer W. and Flora M. Zigler on page 238 Deed Volume 278 of the records of Klamath County, Oregon; thence North 89 degrees 49' West along the Northerly boundary of said tract of land conveyed on page 238 Deed Volume 278, a distance of 334.8 feet to an iron pipe set at its intersection with a line which is parallel to and 192.77 feet Northeasterly of, when measured at right angles to, the Northeasterly right of way line of the Dalles-California Highway (No. US97) as the same is now located across said Section 19; thence North 38 degrees 52' West parallel to and 192.77 feet distant from said Northeasterly highway right of way line a distance of 147.25 feet to an iron pipe; thence South 89 degrees 49' East a distance of 427.3 feet to an iron pipe; thence South 0 degrees 06' West a distance of 114.35 feet more or less, to the point of beginning.

### PARCEL 2

Beginning at a point which is South 0 degrees 06' West a distant 477.4 feet and North 89 degrees 49' West a distance of 234.2 feet from the Northeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 0 degrees 06' East a distance of 154 feet to a point; thence North 89 degrees 49' West a distance of 336 feet, more or less, to a point on a line which is parallel to and distant 192.77 feet at right angles from the Northeasterly right of way line of the Dalles-California Highway; thence South 38 degrees 52' East a distance of 200 feet, more or less, to a point which is North 0 degrees 06' East a distance of 211.1 feet from the North line of Byrd Avenue in Chelsea Addition; thence South 89 degrees 49' East a distance of 210.2 feet to the place of beginning, being in the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

### PARCEL 3

All that portion of the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a section corner common to Sections 17, 18, 19, and 20, said Township and Range; thence South 0 degrees 06' West along the East line of said Section 19, a distance of 388.5 feet to a point; thence North 89 degrees 49' West a distance of 174.2 feet to a point; thence South 0 degrees 06' West a distance of 300.0 feet to a point on the North line of Byrd Avenue; thence West along said North line a distance of 60 feet to a point; thence North 0 degrees 06' East a distance of 479.45 feet to a point; thence North 89 degrees 44' West a distance of 427.3 feet to a point; thence North 38 degrees 46' West a distance of 268.15 feet to a point on the North line of said Section 19; thence South 89 degrees 44' East along said North line a distance of 833.95 feet to the point of beginning.

-continued-

-Parcel 3 continued-

EXCEPTING THEREFROM a tract of land situated in the NE1/4NE1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the section corner common to Sections 17, 18, 19 and 20, said Township and Range; thence South 0 degrees 06' West along the East line of said Section 19, a distance of 388.5 feet to a point; thence North 89 degrees 49' West a distance of 174.2 feet to a point; thence South 0 degrees 06' West a distance of 89 feet to the True Point of Beginning of this description; thence continuing South 0 degrees 06' West a distance of 211 feet to a point on the North line of Byrd Avenue; thence West along said North line a distance of 60 feet to a point; thence North 0 degrees 06' East a distance of 211 feet to a point; thence South 89 degrees 49' East 60 feet to the point of beginning.

#### PARCEL 4

Beginning at a point on the Northeasterly right of way line of State Highway No. 97 which lies South 0 degrees 06' West along the East section line a distance of 688.5 feet and North 89 degrees 49' West along the North line of Byrd Avenue in Chelsea Addition, a distance of 521.6 feet and North 38 degrees 52' West along the Northeasterly right of way line of State Highway No. 97 (Note: State Highway bearing of this line shows North 39 degrees 7 1/2' West) a distance of 130.55 feet from the iron axle which marks the Northeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, running thence; continuing North 38 degrees 52' West along the Northeasterly right of way line of State Highway No. 97, a distance of 250 feet to a point; thence North 51 degrees 08' East a distance of 192.77 feet to a point; thence South 38 degrees 52' East a distance of 250 feet to a point; thence South 51 degrees 08' West a distance of 192.77 feet, more or less to the point of beginning, in the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

State of Oregon, County of Klamath  
Recorded 11/19/99, at 12:55 pm.  
In Vol. M99 Page 45979  
Linda Smith,  
County Clerk Fee\$ 20<sup>00</sup>