

Order # 00058934MA

Aspen 58934MA

ASSIGNMENT OF CONTRACT AND DEED

KNOW ALL MEN BY THESE PRESENTS, That M & M ENTERPRISES a Partnership, Grantor(s) for value received, hereby grant, bargain, sell and convey unto BMRMG 401(k) PLAN LLC and WMGPS TRUST, each as to an undivided one-half interest, Grantee(s), and to grantee's heirs, successors and assigns, the following described real property with tenements, hereditaments and appurtenances to-wit:

See Exhibit A attached hereto and made a part hereof.

and to hereby assign, transfer and set over to the Grantee(s) that certain Real Estate Contract, (as disclosed by Memorandum of Contract if applicable), dated December -, 2000; recorded December 28, 2000 in Book M-00, at Page 46601, Official Records of KLAMATH County, Oregon; with M & M ENTERPRISES a Partnership as Seller(s) and HARVEY JOHNSON and SHANNON JOHNSON, husband and wife, as Purchaser(s), for the sale and purchase of the above described real estate. Grantee(s) hereby assume and agree to fulfill the conditions of said real estate contract, and Grantor(s) covenants with and warrants to Grantee(s), that the unpaid principal balance owing on said contract is not more than \$66,039.79, plus interest from April 15, 2004.

The true and actual consideration for this conveyance is Equitable Exchange.

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.

Dated this 21st day of April, 2004.

M & M ENTERPRISES, a Partnership

By: *Bryan D. Marsh*

BRYAN D. MARSH, Partner

STATE OF ARIZONA)

County of Yavapai) ss.

On this 22nd day of April, 2004, personally appeared the above named Bryan D. Marsh, Authorized Partner of M & M ENTERPRISES a Partnership.



Leanne Kinnan
Notary Public for Arizona
My commission expires:

Until a change is requested,
send all tax statements to:
Grantee at:

Return document to:
Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601

State of Oregon, County of Klamath
Recorded 04/23/2004 2:40 p m
Vol M04 Pg 24571-72
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

24572

Exhibit A

The N 1/2 of Lot 7, Block 6, PLEASANT VIEW TRACTS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

EXCEPTION there from any portion lying within the right of way of Gary Street